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THE STATE OF OHIO.

GENERAL AND LOCAL ACTS

PASSED,

AND

JOINT RESOLUTIONS

ADOPTED

BY THE

SIXTY-SEVENTH GENERAL ASSEMBLY

AT ITS ADJOURNED SESSION,

BEGUN AND HELD IN THE CITY OF COLUMBUS, JANUARY 4, 1887.

VOLUME LXXXIV.

COLUMBUS:
PUBLISHED BY STATE AUTHORITY.
THE COLUMBIAN PRINTING CO.,
STATE PRINTERS.
1887.



GENERAL LAWS.

[Senate Bill No. 261].

AN ACT

To cure defects in consolidation agreements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in all cases where the agreement, or certified copy thereof, for the consolidation of railroad companies, heretofore filed in the office of the secretary of state, is defective, by reason of the omission of a statement of the place of residence of the directors and the number and places of residence of the other officers, as required in such agreement by the laws of this state, but when in pursuance to such agreement an election of directors has been had, and other officers have been elected or appointed, all such defects in said agreement, and any defect in the certificates thereon, may be cured by filing in the office of the secretary of state a copy of the proceedings of said election, duly certified by the secretary of said company to be such copy under the corporate seal of such company, and a certificate signed by the president and secretary of the consolidated company named in such agreement under its corporate seal, setting out the places of residences respectively of the directors first elected, and of the officers first elected, or appointed, at the time they were so first elected or appointed, as well as their residences respectively at the time of the filing of the certificates last above mentioned, which shall thereupon be considered a part of the agreement of consolidation, the same as if originally incorporated therein; and upon filing said certified copy of said proceedings and certificate, all such defects existing prior to the filing of said certified copy of said proceedings and certificates shall be cured, and the several acts of said company shall be held valid, and the said agreement and all rights, remedies, powers, duties, and acts thereunder be construed accordingly, and the said agreement, proceedings and certificates and copies thereof, duly certified by the secretary of state, shall be held and received in all courts and other places as constituting the agreement of consolidation of such companies, to all intents and purposes as if no omission had ever existed in such agreement or the certificate thereto. Provided, that nothing in this act shall impair the rights of any person, firm or corporation acquired prior to the passage of this act.

Authorizing
the curing of
defects in the
consolidation
of certain
railway com-
panies.

SECTION 2. This act shall take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 20, 1887.



GENERAL LAWS.

[Senate Bill No. 261].

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JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 20, 1887.

[House Bill No. 552].

AN ACT

To provide for the election of managers of county agricultural societies in certain counties.

Morgan county agricultural board.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in counties having at the last federal census a population of 20,074, and no more, the agricultural society shall be governed by a board of managers, consisting of one member from each township in the county, and shall be styled the "county agricultural board."

Election and term of members.

SECTION 2. That at the annual election to be held on the first Monday in April, 1887, in each township of such county, there shall be elected, by the qualified electors thereof, one person, having the qualifications of an elector, a member of the agricultural board; the seven townships that polled the largest vote, at the previous election in April, shall elect a member of the board of agriculture for a period of two years; the seven townships that polled the smallest vote in the previous election in April shall elect a member of the board of agriculture for one year; that annually thereafter at the election in said counties, held on the first Monday in April, there shall be elected in each of the seven townships, in which the term of office shall expire, one member of the agricultural board, who shall hold his office for a period of two years and until his successor is elected and qualified.

Conduct of election; notice to and qualification of members elect.

SECTION 3. The election of members of the agricultural board shall be governed in all respects by the laws governing the election of other township officers, and the township clerk shall issue notice to such members elect as is required by law for other township officers; each person receiving such notice of election, shall within ten days thereafter, appear before the township clerk of his township, and take an oath to faithfully perform the duties of the office, and the officer administering such oath shall issue a certificate of qualification to the officer so qualified.

Annual meeting; election of officers.

SECTION 4. That the members so elected and qualified shall meet annually, on the third Monday in April, at such time as the rules of the board may prescribe, at the secretary's office, on the agricultural grounds, or some other suitable place at the county seat, of which due notice shall be given by the secretary of the county agricultural society, and there proceed to elect one president, one vice-president, one secretary and one treasurer; such officers to serve for a period of one year and until their successors are elected and qualified; and no person shall be eligible to the office of president or vice-president who is not a member of the board; a quorum shall consist of seven members of the board.

Eligibility; quorum.

Powers of board.

SECTION 5. The agricultural board when so organized shall supersede the incumbent county agricultural board, and shall have all the power and be governed by such laws and regulations as govern county agricultural societies.

SECTION 6. The treasurer shall annually, on or before the first Monday in March, furnish the county commissioners a detailed statement, showing the receipts, disbursements and general financial condition of the society. The secretary shall make an annual report to the state board of agriculture, on or before the annual meeting of said board, in conformity with the requirements of section 3692, Revised Statutes of Ohio.

Reports of
treasurer and
secretary.

SECTION 7. All vacancies occurring in the board shall be filled by appointment by said board until the next annual election, when the same shall be filled in the same manner as in the original election of members thereof.

Vacancies.

SECTION 8. This act shall take effect and be in force on and after April first, 1887.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 21, 1887.

[Senate Bill No. 15].

AN ACT

To amend Section 3655 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3655 of the Revised Statutes of Ohio be amended so as to read as follows:

SEC. 3655. The statement of any such company, the capital of which is composed in whole or in part of notes, shall, in addition to the foregoing, exhibit the amount of notes which originally formed the capital, and also what proportion of such notes is still held by the company and considered capital; and every company organized under any law of this state which fails to make and deposit such statement, or to reply to any inquiry of the superintendent, with respect to such statement, shall be subject to a penalty of five hundred dollars and an additional five hundred dollars for every month that it continues thereafter to transact any business of insurance, to be recovered by action in the name of the state, and, on collection, paid into the state treasury for the benefit of the state common school fund; and the attorney-general, on the request of the superintendent of insurance, shall institute such action against any company so delinquent, in the court of appropriate jurisdiction in Franklin county, or in the court of appropriate jurisdiction of the county in which said company is located or has its principal place of business, as he prefers.

Special report
required of
certain insur-
ance compa-
nies.

Penalty.

SECTION 2. Said original section 3655 is hereby repealed; and this act shall take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 21, [1887].

[House Bill No. 688].

AN ACT

To amend section 1631 of the Revised Statutes of Ohio, as amended February 26, 1880.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1631 of the Revised Statutes of Ohio, as amended February 26, 1880, be amended so as to read as follows:

Boundaries of
wards.

SEC. 1631. All wards hereafter established or changed shall be bounded, so far as practicable, by streets, alleys, avenues, public grounds, canals, water-courses, corporation lines or center lines of platted streets, and be composed of adjacent and compact territory; and the several wards at the time of redistricting shall contain as nearly an equal number of inhabitants as may be practicable.

SECTION 2. That said section 1631, as amended February 26, 1880, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 25, 1887.

[Senate Bill No. 263].

AN ACT

To amend section 3184 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three thousand one hundred and eighty-four (3184) [of the Revised Statutes of Ohio] be amended so as to read as follows:

Lien upon
boats, build-
ings, bridges,
wells, etc.

SEC. 3184. A person who performs labor or furnishes machinery or material for constructing, altering or repairing a boat, vessel, or other water-craft, or for erecting, altering, repairing, or removing a house, mill, manufactory, or other building, appurtenance, fixture, bridge, or other structure, or

for the digging, drilling or boring of any gas well, oil well, or any other well, by virtue of a contract with the owner or his authorized agent, shall have a lien, to secure the payment of the same upon such boat, vessel, or other water-craft, or upon such house, mill, manufactory, or other building, or appurtenance, fixture, bridge, or other structure, or upon such gas well, oil well or any other well, and the interest of the owner in the lot of land on which the same may stand, or be located, or to which it may be removed.

SECTION 2. That said original section 3184 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed January 26, 1887.

[Senate Bill No. 37].

AN ACT

To supplement sections from 3454 to 3471, inclusive, of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following section shall constitute a section supplementary to sections from 3454 to 3471, inclusive, of the Revised Statutes of Ohio, with sectional numbering as follows:

SEC. 3471a. The provisions of this chapter, so far as the same may be applicable, shall apply also to any company organized for the purpose of supplying the public and private buildings, manufacturing establishments, streets, alleys, lanes, lands, squares, and public places with electric light and power, and every such company shall have the same powers and be subject to the same restrictions as are herein prescribed for magnetic telegraph companies.

Electric light
companies:
laws made
applicable to.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed January 26, 1887.

[Senate Bill No. 284].

AN ACT

To authorize county commissioners of any county, in which there is a city of the second class and third grade, to unite with soldiers' memorial associations in the erection of a monumental building and armory.

Certain counties authorized to unite with soldiers' memorial associations in erection of armories and memorial buildings.

Terms of joint occupancy.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of any county, in which there is a city of the second class and third grade, be, and said board is hereby authorized and empowered to unite with any board of trustees of any soldiers' memorial association organized under the law, and whose principal office is in such city, in the erection of a building suitable for [a] monumental or memorial building, as well as for an armory. Such board of county commissioners are hereby further empowered to purchase or lease real estate in such city suitable for a site for such building as aforesaid, from the board of trustees aforesaid, and erect on the site so purchased or leased as aforesaid a building suitable for a soldiers' monumental building as well as an armory. The terms and conditions upon which said association shall hold and occupy the parts of any such building so erected by said board of commissioners, as well as the terms and conditions upon which the said association on the one part, and said board of commissioners, for armory purposes only, of the other part, shall, respectively, hold and occupy the building erected by both boards jointly, shall be fixed by a written lease or other contract, between the said two boards.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 26, 1887.

[House Bill No. 738].

AN ACT

Making appropriations for the support of the common schools of Ohio.

Appropriation for common schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated, out of any moneys raised or coming into the state treasury for the support of the common schools of this state, one million, seven hundred and seven thousand, one hundred and four dollars and ninety cents (\$1,707,104.90), or so much thereof as may come into the said treasury for that purpose, to be

distributed and paid out, in the manner provided by law, for the support of the said common schools.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 26, 1887.

[House Bill No. 815].

AN ACT

To authorize county treasurers to pay certain moneys, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county treasurer, of counties containing a city of the first grade of the first class, shall pay over to the treasurer of such city the amount to which such city is entitled of the tax received by such county treasurer under the provisions of an act of the general assembly, entitled, "an act providing against the evils resulting from the traffic in intoxicating liquors," passed May 14, 1886. And such city shall assume the liability, if any, that will be imposed upon such county treasurer by reason of said tax having been paid under protest.

Cincinnati:
its share of
liquor tax re-
quired to be
paid by coun-
ty treasurer.

SECTION 2. The board of public affairs, the board of police commissioners and the directors of the city infirmary of such city, are hereby authorized and directed to redeem or pay any obligations incurred during a previous year out of any funds that may be received and appropriated for their use during the current year; provided, however, that such obligations, together with the amounts necessary for the support of such street-cleaning, police and infirmary departments, in such city, shall not exceed the amounts apportioned and appropriated by the tax commission of such city for such current year.

Redemption
of obligations
of previous
year.

Proviso.

SECTION 3. All moneys that may be received by the directors of the city infirmary of such city, after June first, 1887, for the support of such infirmary, from any source whatsoever, in excess of seventy-five thousand dollars per annum, shall be placed by the comptroller of such city to the credit of and for the use of the police department of such city.

Excess in-
firmiry funds
applied to
police purpo-
ses.

SECTION 4. All acts and parts of acts inconsistent here-

with are hereby repealed, and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 28, 1887.

[Senate Bill No.214].

AN ACT

To amend section 2411 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2411 of the Revised Statutes of Ohio be so amended as to read as follows:

Collection of
rent for ex-
penses of
water works.

Tenants.

Assessment of
cost of laying
mains in Cin-
cinnati.

SEC. 2411. For the purpose of paying the expenses or conducting and managing the water-works, the trustees or board shall have power to assess and collect, from time to time, a water rent of sufficient amount, in such manner as they may deem most equitable, upon all tenements and premises supplied with water; and where more than one tenant or water taker is supplied with water from one hydrant, or off the same pipe, the board shall look directly to the owner of the property for the entire rent for water furnished said premises, to be collected in the same manner as other city taxes, except that in cities of the first grade of the first class, the council shall, upon the recommendation of the board, provide for assessing the cost and expenses of laying or extending water mains upon the lots and lands bounding or abutting upon the streets, lanes, alleys, highways, market spaces, public landings and commons in or along which such water mains are laid or extended, by the foot front, or according to the valuation of the same on the tax-list, or according to benefits, as they shall determine.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 1, 1887.

[House Bill No. 657].

AN ACT

To authorize the trustees of water-works in cities of the first grade of the second class to purchase pumping engines for the use of water-works in such cities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first grade of the second class, the trustees of water-works be and they are hereby authorized and empowered to purchase pumping engines for the use of such water-works in such cities, the same to be paid for out of the income of such water-works, the time during which said income is to be so appropriated, not to exceed the term of three years.

Columbus:
purchase of
pumping en-
gines for
water-works.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 2, 1887.

[House Bill No. 656].

AN ACT

To authorize cities of the first grade of the second class to borrow money and issue bonds for the purpose of finishing and equipping fire engine houses in such cities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That cities of the first grade of the second class be, and they are hereby authorized and empowered, for the purpose of finishing and equipping fire engine houses in such cities, to borrow not to exceed fifteen thousand dollars and to issue the bonds of such city therefor, in denominations of not less than five hundred nor more than one thousand dollars, payable in not less than one nor more than five years from their date, bearing interest at not to exceed the rate of six per cent. per annum, payable annually or semi-annually, and the city councils of such cities shall levy annually, on all the property in such cities, a tax sufficient in rate and amount to pay the accruing interest on such bonds, and to pay said bonds at maturity, and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

Columbus au-
thorized to
finish and
equip engine
houses.

Issue of bonds
and levy of
tax.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 2, 1887.

[House Bill No. 779].

AN ACT

To provide for the payment of compensation to members of certain boards of equalization.

Payment of
extra compen-
sation to
members of
Cincinnati
board of
equalization.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That where any annual board of equalization performed services in 1886 in any city of the first grade of the first class, prior to the time fixed by section 2805 of the Revised Statutes, as said section was amended May 19, 1886, for the convening of said boards, and continued the performance of services until the time fixed by said amended section for closing the session of such boards in said year, the appointed members thereof shall be paid out of the treasury of the county in which the city wherein such board acted is situated, in addition to the moneys heretofore paid them, the further sum of five dollars a day for the number of twenty-seven days' services so rendered in excess of the time so prescribed by said amended section; and upon receipt of the affidavit of said members respectively, showing the performance of services as aforesaid, the auditor of such county shall forthwith furnish to said members proper warrants, and the treasurer of such county shall pay the same upon presentation thereof.

SECTION 2. That this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,

Speaker pro tem. of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 3, 1887.

[House Bill No. 711].

AN ACT

To amend section 325 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 325 of the Revised Statutes be so amended as to read as follows:

Style of print-
ing the an-
nual laws.

SEC. 325. The laws specified in the fourth class shall be printed in super-royal octavo form, on good long primer type, the pages to be of the same size and form as those of the journals and documents specified in the two preceding sections, with marginal notes to the general laws in brier or nonpareil type.

SECTION 2. That section 325 of the Revised Statutes is repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 3, 1887.

[Senate Bill No. 295].

AN ACT

To amend section 5563b of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5563b of the Revised Statutes, as enacted March 18, 1880 (77 v. 69), is amended so as to read as follows :

SEC. 5563b. When an order discharging an order of attachment is made, and a party affected thereby excepts thereto, the court or judge shall fix the number of days, not to exceed thirty, in which such party may file his petition in error, and during which it shall be filed, and the attached property held by the sheriff or other officer; the party who files the petition in error shall give an undertaking to the adverse party, with surety to be approved by the clerk of the circuit court, in double the amount of the appraised value of the property attached, conditioned to pay such adverse party all damages sustained by him in consequence of the filing of the same, in the event of the discharge of the order of attachment by the court in which the petition in error is filed, because the same was wrongfully obtained; and when such petition in error is filed, and an undertaking given, the sheriff, or other officer, shall continue to hold the property attached, subject to the further order of the court.

Attachment:
filing of petition in error to reverse order discharging.

Undertaking.

SECTION 2. That section 5563b of the Revised Statutes, as enacted March 18, 1880 (77 v. 69), is repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 3, 1887.

[House Bill No. 725].

AN ACT

To amend section 2228 of the Revised Statutes of Ohio.

Cincinnati
board of pub-
lic affairs:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2228 of the Revised Statutes of Ohio, as amended by the act to establish an efficient board of public affairs, etc., passed May 17, 1886, be so amended as to read as follows:

Removal of
members.

SEC. 2228. The members of said board, or any of them, may, at any time, be removed from office by the governor for misfeasance, malfeasance or non-feasance in office, and in such cases the governor shall immediately appoint successors for the unexpired term of the members so removed, respectively.

SECTION 2. That section 2228, as amended May 17, 1886, is hereby repealed, and this act shall take effect from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem of the Senate.

Passed February 3, 1887.

[House Bill No. 745].

AN ACT

To amend section two (2) of an act entitled an act to provide for the publication and distribution of the roster of Ohio soldiers, passed May 12, 1886.

Distribution
of volumes of
roster of Ohio
soldiers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section [two] (2) of the above mentioned act be so amended [as] to read as follows:

SEC. 2. The distribution of said volumes shall be under the direction of the adjutant-general, and shall be as follows: To each member of the sixty-seventh (67) general assembly, twenty (20) copies of each volume; to the roster commission, twenty-five copies of each volume; to the adjutant-general for distribution to the adjutants-general of each state and territory, and proper officials of the war department at Washington, D. C., sixty (60) copies of each volume; to each of the state officers of Ohio, and to each of the various state departments and institutions, one copy of each volume; to the state library, fifty copies of each volume for exchanges, and ten copies of each volume [to be] retained permanently therein; to each public library of an incorporated city or village of the state, one copy of each volume; to each post of the grand army of the republic, on condition that if the post or camp be disbanded at any time, the same shall be returned to the state library, one copy

of each volume; and to the department of Ohio grand army of the republic, and loyal legions, each one copy of each volume; and to each camp of the sons of veterans, one copy of each volume; to each county recorder, to be by him kept in his office and transferred to his successor as other public records, one copy of each volume; to each township clerk, to be by him kept in his office and to be transferred to his successor, one copy of each volume; the remainder of said copies after such distribution, shall be placed on sale by the adjutant-general, at a price not exceeding one dollar per volume; he shall keep a record of such sales, and shall, at the end of each quarter of the fiscal year, pay into the state treasury the sum received, until all of said volumes are sold, unless otherwise directed by the general assembly; provided, that he shall not sell more than one copy of each of said volumes to the same person.

SECTION 3. That section two (2) of said act, passed May 12, 1886 (83 v. 146), is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,

Speaker pro tem. of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 3, 1887.

[Senate Bill No. 362].

AN ACT

Making appropriation to meet deficiencies.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money in the treasury or that may come into the treasury to the credit of the general revenue fund and not otherwise appropriated the following sums of money for the purpose herein named. For salaries and mileage of members of the general assembly, per diem of clerks, sergeants-at-arms and employes, twelve thousand, one hundred and fifty dollars (\$12,150.00). For contingent expenses of the senate, three hundred dollars (\$300.00).

Legislative
deficiency ap-
propriation.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 3, 1887.

[House Bill No. 713].

AN ACT

To amend section 4443 of the Revised Statutes, as amended March 12, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4443 of the Revised Statutes of the state of Ohio, as amended February 5, 1885 (82 v. 52), amended March 12, 1886 (83 v. 31), be so amended as to read as follows:

Standard
weight of
bushel.

SEC. 4443. A bushel of the respective articles hereinafter mentioned shall mean the amount of weight, avoirdupois, in this section specified, viz:

- Of wheat, sixty pounds;
- Of rye, fifty-six pounds;
- Of oats, thirty-two pounds;
- Of clover-seed, sixty pounds;
- Of timothy seed, forty-five pounds;
- Of hemp-seed, forty-four pounds;
- Of millet-seed, fifty pounds;
- Of buckwheat, fifty pounds;
- Of beans, sixty pounds;
- Of peas, sixty pounds;
- Of hominy, sixty pounds;
- Of Irish potatoes, sixty pounds;
- Of sweet potatoes, fifty pounds;
- Of onions, fifty pounds;
- Of dried peaches, thirty-three pounds;
- Of dried apples, twenty-two pounds;
- Of flax-seed, fifty-six pounds;
- Of barley, forty-eight pounds;
- Of malt, thirty-four pounds;
- Of Hungarian grass-seed, fifty pounds;
- Of lime, seventy pounds;
- Of coke, forty pounds;
- Of bituminous coal, eighty pounds;
- Of cannel [coal], seventy pounds;
- Of corn, shelled, fifty-six pounds;
- Of corn in the ear, sixty eight pounds;
- Of tomatoes, fifty-six pounds;
- Of apples, forty-eight pounds;
- Of peaches, forty-eight pounds;
- Of turnips, sixty pounds;
- Of plums, fifty-five pounds.

SECTION 2. That section 4443 of the Revised Statutes of Ohio, as amended February 5, 1885, (82 v. O. L., 52) amended March 12, 1886, (83 v. O. L., 52), be and the same is hereby repealed.

SECTION 3. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 15, 1887.

[House Bill No. 767.]

AN ACT

Supplementary to section 4812, Revised Statutes of Ohio, as amended April 17, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 4812 of the Revised Statutes of Ohio, (as amended April 17, 1886), with sectional numbering as herein provided:

SEC. 4812a. If at any time it shall be ascertained by the road commissioners, that the property upon the tax duplicate for the purpose of raising a fund for the construction of any free turnpike road, under the provisions of this chapter, heretofore built, now in process of construction, or hereafter to be constructed, has by any cause been reduced, so that said duplicate will not produce a sufficient fund to liquidate all bonds issued by the road commissioners under the provisions of this chapter, as the same shall become due, with the interest thereon, said road commissioners shall have power, and are hereby authorized to issue new bonds, for the purpose of paying off all such bonds and the interest thereon; provided, that the time for the payment of said new bonds shall not be extended beyond the time limited by the provisions of this chapter, for the levying of taxes for the construction of one mile assessment pikes.

One mile as
assessment
pikes: when
commission-
ers may issue
new bonds.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 16, 1887.

[House Bill No. 773.]

AN ACT

Making partial appropriations for the last three-quarters of the fiscal year, ending November 15, 1887, and the first quarter of [the] fiscal year ending February 15, 1888.

Act making
partial appro-
priations for
state depart-
ments and in-
stitutions.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and hereby are appropriated out of any moneys in the treasury, to the credit of the general revenue fund, not otherwise appropriated, the following sums for the purposes hereinafter specified, to-wit:

Adjutant-General's Department:

Salary of the adjutant-general, two thousand dollars (\$2,000).

Salary of assistant adjutant-general, one thousand five hundred dollars (\$1,500).

Salary of chief clerk, one thousand four hundred dollars (\$1,400).

Salary of assistant clerk, six hundred dollars (\$600).

Salary of four transcribing clerks, four thousand eight hundred dollars (\$4,800).

Salary of superintendent of state arsenal, three hundred dollars (\$300).

Transportation of indigent soldiers, fifty dollars (\$50).

For making soldiers' roster for publication, five thousand dollars (\$5,000).

For publishing roster of Ohio troops, five thousand dollars (\$5,000).

State House and Grounds:

Salary of superintendent of laborers, nine hundred dollars (\$900).

Salary of engineer, one thousand dollars (\$1,000).

Salary of two firemen, nine hundred dollars (\$900).

Salary of janitor of flag-room, two hundred dollars (\$200).

Salary of visitors' attendant, two hundred dollars (\$200).

Salary of day policeman, seven hundred and twenty dollars (\$720).

Salary of night policeman, eight hundred dollars (\$800).

Salary of four regular laborers, two thousand five hundred dollars (\$2,500).

Extra labor, five hundred dollars (\$500).

Material and repairs, five hundred dollars (\$500).

Fuel for state house, one thousand eight hundred dollars (\$1,800).

Water rent, one thousand dollars (\$1,000).

Care and repair of heating apparatus, one thousand dollars (\$1,000).

Agriculture :

- Encouragement of, six thousand dollars (\$6,000).
- Contingent expenses of board of, eight hundred dollars (\$800).

Attorney-General :

- Salary of attorney-general, one thousand five hundred dollars (\$1,500).
- Salary of clerk, one thousand dollars (\$1,000).
- Fees on collections, five hundred dollars (\$500).
- Contingent expenses, one hundred dollars (\$100).

Auditor of State :

- Salary of auditor, three thousand dollars (\$3,000).
- Salary of chief clerk, two thousand dollars (\$2,000).
- Salary of book-keeper, one thousand six hundred dollars (\$1,600).
- Salary of railroad and bank clerk, one thousand and five hundred dollars (\$1,500).
- Salary of land clerk, one thousand and five hundred dollars (\$1,500).
- Salary of canal and trust fund clerk, one thousand and four hundred dollars (\$1,400).
- Salary of statistical clerk, one thousand two hundred dollars (\$1,200).
- Contingent expenses, four hundred dollars (\$400).
- Claims for veteran bounties, four hundred and fifty dollars (\$450).

Commissioner of Statistics of Labor :

- Salary of commissioner, two thousand dollars (\$2,000).
- Contingent expenses, and clerk-hire, five hundred dollars (\$500).

Commissioner of Railroads and Telegraphs :

- Salary of commissioner, two thousand dollars (\$2,000).
- Salary of chief clerk, one thousand two hundred dollars (\$1,200).
- Salary of assistant clerk, one thousand dollars (\$1,000).
- Experts to examine bridges, two hundred dollars (\$200).
- Contingent expenses, fifty dollars (\$50).

Commissioner of Common Schools :

- Salary of commissioner, two thousand dollars (\$2,000).
- Salary of chief clerk, one thousand seven hundred and fifty dollars (\$1,750).
- Salary of second clerk, one thousand two hundred dollars (\$1,200).
- Contingent expenses, one hundred and fifty dollars (\$150).
- Traveling expenses, one hundred and fifty dollars (\$150).

Governor :

Salary of governor, four thousand dollars (\$4,000).
 Salary of private secretary, eight hundred dollars (\$800).
 Salary of executive clerk, fifteen hundred dollars (\$1,500).
 Contingent expenses, five hundred dollars (\$500).
 For clerk hire, twelve hundred dollars (\$1,200).

Inspector of Mines :

Salary of chief inspector, two thousand dollars (\$2,000).
 Salary of district inspectors, three thousand five hundred dollars (\$3,500).
 Clerk hire, two hundred dollars (\$200).
 Contingent expenses of mine inspectors, five hundred dollars (\$500).

Inspector of Workshops and Factories :

Salary of chief inspector, one thousand five hundred dollars (\$1,500).
 Traveling expenses of chief inspector, one hundred and fifty dollars (\$150).
 Salary of district inspectors, three thousand dollars (\$3,000).
 Traveling expenses of district inspectors, three hundred dollars (\$300).
 Contingent expenses, three hundred dollars (\$300).

Judiciary :

Salaries of supreme, circuit, superior and common pleas judges, two hundred and eighty-four thousand dollars (\$284,000).

Law Library :

Salary of law librarian, one thousand five hundred dollars (\$1,500).
 Salary of assistant law librarian, one thousand dollars (\$1,000).
 Contingent expenses, one hundred dollars (\$100).

Legislature :

For salaries and mileage of members of the general assembly, per diem of clerks, sergeants-at-arms and employes, one hundred thousand dollars (\$100,000).
 For senate contingent fund, eight hundred dollars (\$800).

Meteorological Bureau :

Current expenses, five hundred dollars (\$500).

Ohio Penitentiary:

Per diem of managers, one thousand dollars (\$1,000).
 Salary of officers, ten thousand dollars (\$10,000).
 Salaries of guards, twenty thousand dollars (\$20,000).
 Current expenses, thirty thousand dollars (\$30,000).
 Manufacture of gas, two thousand dollars (\$2,000).
 Rewards to convicts, one thousand five hundred dollars (\$1,500).
 Ordinary repairs, one thousand five hundred dollars (\$1,500).
 Prosecution and transportation of convicts, thirty thousand dollars (\$30,000).

Ohio State University:

Expenses of trustees, one hundred and twenty-five dollars (\$125).
 Fuel and care of buildings, one thousand dollars (\$1,000).

Ohio Dairy and Food Commission:

Salary of commissioner, fifteen hundred dollars (\$1,500).
 Salaries of assistant commissioners, two thousand dollars (\$2,000).

Secretary of State:

Salary of secretary of state, two thousand dollars (\$2,000).
 Salary of chief clerk, two thousand dollars (\$2,000).
 Salary of statistical clerk, one thousand five hundred dollars (\$1,500).
 Salary of stationery clerk, one thousand three hundred and fifty dollars (\$1,350).
 Salary of corporation clerk, one thousand three hundred and fifty dollars (\$1,350).
 Salary of recording clerk, one thousand three hundred and fifty dollars (\$1,350).
 Salary of superintendent book-room, eight hundred dollars (\$800).
 Contingent expenses, three hundred dollars (\$300).
 Distribution of books, six hundred dollars (\$600).
 Stationery, five thousand dollars (\$5,000).
 Printing paper, eight thousand dollars (\$8,000).

State Library:

Salary of state librarian, one thousand five hundred dollars (\$1,500).
 Salary of assistant librarian, one thousand two hundred dollars (\$1,200).
 Salary of janitor, one hundred dollars (\$100).
 Books, magazines and papers, three hundred dollars (\$300).
 Contingent expenses, one hundred dollars (\$100).

Superintendent of Insurance:

Salary of superintendent, two thousand dollars (\$2,000).
 Salary of chief clerk, one thousand five hundred dollars (\$1,500).
 Salary of examining clerk, one thousand five hundred dollars (\$1,500).
 Salary of book-keeper, one thousand two hundred dollars (\$1,200).
 Salary of corresponding clerk, one thousand dollars (\$1,000).
 Salary of mailing clerk, eight hundred dollars (\$800).
 Salary of actuary, two hundred and fifty dollars (\$250).
 Salaries of extra clerks, one thousand five hundred dollars (\$1,500).
 Contingent expenses, four hundred dollars (\$400).

Supervisor of Public Printing:

State printing, three thousand dollars (\$3,000).
 State binding, three thousand dollars (\$3,000).
 Salary of supervisor, one thousand eight hundred dollars (\$1,800).
 Contingent expenses, fifty dollars (\$50).

Supreme Court:

Janitor of supreme court, six hundred dollars (\$600).
 Contingent expenses, one hundred dollars (\$100).

Clerk of Supreme Court:

Salary of deputy clerk, one thousand two hundred dollars (\$1,200).
 Salary of extra clerk, eight hundred dollars (\$800).

Reporter of Supreme Court:

Salary of reporter, one thousand dollars (\$1,000).

Treasurer of State:

Salary of treasurer, three thousand dollars (\$3,000).
 Salary of cashier, two thousand dollars (\$2,000).
 Salary of two book-keepers, two thousand seven hundred dollars (\$2,700).
 Salary of janitor and messenger, six hundred dollars (\$600).
 Salaries of two night watchmen, one thousand six hundred dollars (\$1,600).
 Collecting auditor of state's drafts, four hundred dollars (\$400).

Athens Asylum for Insane:

Current expenses, thirty thousand dollars (\$30,000).
 Salaries of officers, five thousand eight hundred dollars (\$5,800).
 Ordinary repairs, one thousand two hundred and fifty dollars (\$1,250).

Cleveland Asylum for the Insane:

Current expenses, thirty thousand dollars (\$30,000).
 Salaries of officers, five thousand dollars (\$5,000).
 Ordinary repairs, one thousand dollars (\$1,000).

Columbus Asylum for the Insane:

Current expenses, thirty thousand dollars (\$30,000).
 Salaries of officers, one thousand six hundred and twenty-five dollars (\$1,625).
 Ordinary repairs, two thousand dollars (\$2,000).

Dayton Asylum for the Insane:

Current expenses, twenty-four thousand dollars (\$24,000).
 Salaries of officers, one thousand two hundred dollars (\$1,200).
 Ordinary repairs, one thousand dollars (\$1,000).

Boys' Industrial School:

Current expenses, seven thousand five hundred dollars (\$7,500).
 Salaries of officers and teachers, five thousand dollars (\$5,000).
 Ordinary repairs, five hundred dollars (\$500).

Girls' Industrial Home:

Current expenses, seven thousand five hundred dollars (\$7,500).
 Salaries of officers and teachers, four thousand dollars (\$4,000).
 Ordinary repairs, five hundred dollars (\$500).

Northwestern Ohio Hospital for the Insane:

Care of inmates under contract, five thousand dollars (\$5,000).

Longview Asylum for the Insane:

Current expenses, twenty-five thousand dollars (\$25,000).
 All appropriations for this asylum to be paid out in equal monthly installments.

Ohio Institution for the Blind:

Current expenses, twelve thousand dollars (\$12,000).
 Salaries of officers and teachers, eleven thousand dollars (\$11,000).
 Ordinary repairs, three hundred dollars (\$300).

Institution for the Deaf and Dumb:

Current expenses, twelve thousand dollars (\$12,000).
 Salaries of officers and teachers, five thousand dollars (\$5,000).
 Ordinary repairs, one thousand dollars (\$1,000).
 For foreman of printing office, five hundred dollars (\$500).
 For foreman of shoe shop, six hundred dollars (\$600).
 For foreman of carpenter shop, six hundred dollars (\$600).
 For foreman of tailor shop, five hundred dollars (\$500).

Institution for Feeble-minded Youth:

Current expenses, thirty thousand dollars (\$30,000).
 Salaries of officers and teachers, three thousand dollars (\$3,000).
 Ordinary repairs, one thousand dollars (\$1,000).

Ohio Soldiers' and Sailors' Orphans' Home:

Current expenses, twenty thousand dollars (\$20,000).
 Salaries of officers and teachers, five thousand dollars (\$5,000).
 Ordinary repairs, five hundred dollars (\$500).

Fish and Game Commission:

Fish propagation, two thousand dollars (\$2,000).
 Prosecution of violation of fish and game laws, five hundred dollars (\$500), to be paid out on vouchers approved by the commission.

Miscellaneous:

Live stock commission, one thousand dollars (\$1,000).
 Ohio state horticultural society, one thousand dollars (\$1,000).
 Board of health, two thousand dollars (\$2,000).
 Salary of lieutenant-governor, eight hundred dollars (\$800).
 Board of lady visitors O. S. & S. O. H., two hundred dollars (\$200).
 Prosecution of war claims against general government, five hundred dollars (\$500).

SECTION 2. The moneys appropriated in the last preceding section shall not be in any way expended to pay liabilities or

deficiencies existing prior to February 15, 1887, nor shall they be used or paid out for purposes other than those for which said sums are specifically appropriated as aforesaid.

SECTION 3. No money appropriated in this act shall be drawn except on a requisition on the auditor of state, which requisition shall state the services rendered, or the materials furnished, with the time of such service or of the furnishing of such materials, and be approved by the head of the department or the trustees of the institution, as the case may be, and it shall be the duty of the auditor of state to see that these provisions are complied with.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 17, 1887.

[Senate Bill No. 316].

AN ACT

To amend section 4669 of the Revised Statutes of Ohio, passed March 21, A. D. 1883 (O. L. 80 v. pg. 65).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4669 of the Revised Statutes of Ohio be amended so as to read as follows :

SEC. 4669. All alterations of county roads heretofore made and established, or which shall hereafter be made and established, shall be and remain part of such roads ; and so much of the original roads as is rendered unnecessary by such alterations, in the opinion of the viewers and county commissioners, shall be and remain vacated.

SECTION 2. Section 4669 (O. L. 80 v. 65) is hereby repealed ; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 17, 1887.

County roads:

Alterations
become part
of road ;
parts vacated.

[House Bill No. 806].

AN ACT

To authorize the commissioners of any county containing a city of the second grade, of the second class, to establish, improve or straighten county ditches.

Montgomery
county com-
missioners
authorized to
protect the
public against
dangerous
waters.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of any county containing a city of the second grade, of the second class, are hereby authorized: in any case where the action of water results in injury to the general public, [or,] in any vicinity or community, threatens the safety of any public road or bridge, or the security or convenience of public travel, the county commissioners may, of their own motion, without the filing of a petition as required by section four thousand four hundred and fifty, inaugurate proceedings for the establishment of, or the straightening, or improving of a county ditch, and establish, improve, or straighten the same, in accordance with the provisions of title six, chapter one, of the Revised Statutes of Ohio, or take such other action to control the flowage and discharge of such water as may be necessary to prevent such public injury.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 17, 1887.

[House Bill No. 692].

[SPRINGFIELD].

AN ACT

To amend section 1707, section 1785, as amended February 27, 1885, sections 1804 and 1808, as amended April 6, 1886, and sections 1812 and 1813 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That, (two-thirds of the members elected to each branch concurring), section 1707, section 1785, as amended February 27, 1885, sections 1804 and 1808, as amended April 6, 1886, and sections 1812 and 1813 of the Revised Statutes of Ohio, be so amended as to read as follows:

Officers of
cities of the
second class.

SEC. 1707. The officers of a city of the second class shall consist of a mayor, a marshal, except as hereinafter provided, a city solicitor, a city commissioner, who shall be superintendent of streets and highways, a treasurer, except as provided in section seventeen hundred and eight, all of which officers

shall be chosen by its electors, and a clerk, who shall be chosen by the council; and in cities of the third grade of the second class, there shall also be a police judge, prosecuting attorney of the police court and clerk of the police court, which officers shall also be chosen by the electors thereof; and the council may, when in its opinion expedient, create, by ordinance, the office of auditor, civil engineer, sealer of weights and measures, fire engineer, and superintendent of markets, and provide for their election or appointment and compensation; provided, that the provisions as to a marshal, shall be subject to the provisions contained in the fourth sub-division of chapter five, of the fifth division of this title; and provided further, that in cities of the third grade of the second class, the council may, when in its opinion expedient, abolish, by ordinance, the office of marshal.

Office of marshal may be abolished.

SEC. 1785. In cities of the first class, and in cities of the third grade of the second class, there shall be a court, held by the police judge, which court shall be styled the police court, and be a court of record.

Police court.

SEC. 1804. The clerk of the police court shall have power, when an affidavit is filed with him for a peace warrant, search warrant, or charging any person with the commission of an offense, to issue a warrant under seal of said court to arrest the accused or search the place described; to admit to bail any person accused of a misdemeanor or violation of an ordinance, for his appearance at the next setting of the police court or mayor, as the case may be; and the bond given to continue until the case is finally disposed of; and also to admit to bail any person accused of a felony, when the amount of bail has been fixed by the court or mayor, as the case may be; to appoint one or more deputies, except in cities of the second class, to be approved by the council, to administer oaths and to perform all other things which may be performed by the clerk of the court of common pleas in like cases.

Clerk of police court; his powers.

SEC. 1808. He shall give such bonds, with sureties, as may be required by the council and county commissioners and shall receive for his services, in cities of the first class, in city cases a fixed salary to be prescribed by ordinance of the council, of not less than twelve hundred dollars nor more than two thousand dollars per year, and for state cases such further allowance as the county commissioners may deem proper, but not exceeding one thousand dollars per year, and in cities of the third grade of the second class, in city cases, a fixed salary to be prescribed by ordinance of the council, of not less than six hundred dollars nor more than one thousand dollars per year, and for state cases such further allowance as the county commissioners may deem proper, but not exceeding two hundred dollars per year.

His bond and compensation.

SEC. 1812. If there be any surplus of the fees collected for the city, after payment of the expenses of the police court required to be paid by the city, such surplus shall, in cities of the first class, except as otherwise provided by law, be appropriated by council for the benefit of the common schools of the city.

Surplus fees after payment of expenses.

Prosecuting
attorney.

SEC. 1813. The prosecuting attorney of the police court shall prosecute all cases brought before such court and perform the same duties, as far as the same are applicable to the police court, as the prosecuting attorney of the county.

Certain or-
dinances, etc.,
of council
not affected
hereby.

SECTION 2. That said sections 1707 and 1785, as amended February 27, 1885, sections 1804 and 1808, as amended April 6, 1886, and sections 1812 and 1813 of the Revised Statutes of Ohio, be and the same are hereby repealed; provided, that all by-laws, ordinances and resolutions, lawfully passed and adopted by the council, before the passage of this act, and not inconsistent with this act and title XII, part first of the Revised Statutes, shall remain in force until altered or repealed by the council.

Nor the term
of marshals
in office.

SECTION 3. Any ordinance abolishing the office of marshal as provided in section 1707 shall not effect the term of office of any marshal who may have been elected before its passage; and provided further, that in cities of the third grade of the second class, no such police judge, prosecuting attorney of the police court, or clerk of the police court, shall be elected until the first regular municipal election after the special election, herein provided for, at which a majority of the electors voting at such special election shall vote in favor of a police court; and the council of any city of the third grade of the second class shall, when in its opinion advisable, provide for and call, by resolution, a special election, to be held at the usual places of holding elections, not less than twenty days before a regular municipal election at which a mayor is to be elected, of the time of holding which special election ten days' notice shall be given by publication in one or more newspapers of general circulation in the corporation, and at which the electors who favor the election of a police judge, prosecuting attorney of the police court and clerk of the police court, shall have printed on their ballots the words, "police court, yes," and those who oppose the election of such officers shall have written or printed on their ballots the words, "police court, no."

Time of elec-
tion of officers
of police
court.

Vote of the
people on
question of
establishing
police court,
now provided
for by coun-
cil.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 17, 1887.

[Senate Bill No. 278].

AN ACT

Supplementary to section 1500 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section shall be supplementary to section 1500 of the Revised Statutes of Ohio, with sectional numbering as follows:

SEC. 1500a. When information is given to the trustees of any township that the dead body of any pauper or unknown person, not the inmate of a penal, reformatory, benevolent or charitable institution, has been found in such township, and such body is not claimed by any person for private interment at his own expense or delivered for the purpose of medical or surgical study or dissection in accordance with law, they shall cause the said body to be buried at the expense of the township, keeping an accurate account of all moneys so expended, which, with the vouchers therefor, they shall certify to the county commissioners, who shall cause the amounts so paid to be refunded to the township out of the county treasury, on the warrant of the county auditor.

Burial of the unclaimed dead by township trustees.

Refunder of expenses by county.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 17, 1887.

[Senate Bill No. 398].

AN ACT

Supplementary to an act entitled "an act to cure defects in consolidation agreements," passed January 20, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to said act, with sectional numbering as follows:

SEC. 1a. That in all cases where the agreement, or a certified copy thereof, for the consolidation of railroad companies, heretofore filed in the office of the secretary of state, states the number of shares of the capital stock of the new company and the amount of each share, but is defective by reason of the omission of a statement of the amount of the capital stock of the new company agreed upon, as required by the laws of this state in such agreement, such defect may be cured, by filing in the office of the secretary of state a certificate, signed by the secretary of said consolidated company, under its corporate seal, setting out the amount of the capital stock of the new company agreed upon, which shall be ascertained by multi-

Authorizing the curing of defects in certain railway consolidation agreements.

plying the number of shares of capital stock named in said agreement by the amount of each share named in said agreement in dollars, as shown in the original agreement or the certified copy thereof filed in the office of the secretary of state, and which said certificate shall thereupon be considered a part of the agreement of consolidation the same as if originally incorporated therein; and upon filing said certificate such defect shall be cured, and such consolidation and the several acts of said company shall be held valid, and the said agreement and all rights, remedies, powers, duties and acts thereunder be construed accordingly; and certified copies of the said certificate and the agreement of consolidation, duly certified by the secretary of state, shall be held and received in all courts and other places as constituting the agreement of consolidation of such companies, to all intents and purposes as if no omission or defect had ever existed in such agreement. Provided, that nothing in this act shall impair the rights of any person, firm or corporation acquired prior to the passage of this act.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,

Speaker pro tem. of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 18, 1887.

[House Bill No. 1021].

[SPRINGFIELD].

AN ACT

To authorize the council of cities of the second class, third grade, to issue bonds for the purpose of erecting a market house and city offices, and of procuring the necessary real estate as a site therefor, and approaches thereto, and for market space, or any one or more of them.

Authorizing cities of the second class, third grade, to erect market houses and city offices, and purchase site therefor.

Issuing of bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of the second class, third grade, two-thirds of the whole number of members elected thereto concurring, be and it is hereby authorized and empowered to issue bonds of said city for the purpose of erecting a market house and city offices and of procuring the necessary real estate as a site therefor, and approaches thereto, and for market space, or any one or more of them, not exceeding one hundred and fifty thousand dollars, in denominations not less than five hundred dollars, payable at any time within forty years from date of their issue, at a rate of interest not exceeding six per cent. per annum, payable semi-annually, which bonds shall be issued, advertised and sold according to law.

SECTION 2. The bonds provided for by this act shall not be issued by the council of any such city, until it shall have submitted to the electors thereof, at the annual municipal election, or at a special election, the question of the issuing of said bonds, and two-thirds of the electors voting on said question at said election shall have voted in favor of the issuing of said bonds, of the submission of which question at least ten days' notice shall be given by publication in one or more newspapers of general circulation in the corporation; and in the event said question shall be submitted at a special election, council shall, by resolution, provide for and call said election to be held at the usual places of holding elections, and the electors who favor the issuing of said bonds shall have written or printed on their ballots the words, "market house bonds—yes;" and those who oppose the issuing of such bonds shall have written or printed on their ballots the words, "market house bonds—no;" and, in order to facilitate the making of the improvements hereinbefore mentioned, the council of any such municipal corporation, after the necessary number of electors have voted for the issuing of said bonds, shall be exempt from the provisions of section two thousand seven hundred and two of the Revised Statutes of Ohio.

Question of
issuing bonds
to be submit-
ted to electors.

Exemption
from the pro-
visions of Sec.
2702 R.S.

SECTION 3. An act entitled, "an act to authorize the council of certain cities to issue bonds for the purpose of erecting a market house," passed March 20, 1885, and an act entitled "an act to amend section 2 of an act passed March 20, A. D. 1885, entitled, "an act to authorize the council of certain cities to issue bonds for the purpose of erecting a market house," passed April 27, 1885, be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

Repeals.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 19, 1887.

[House Bill No. 742].

AN ACT

To amend section 3767 of the Revised Statutes of Ohio, as amended March 26, 1886 (83 v. 41).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3767 of the Revised Statutes of the state of Ohio, as amended March 26, 1886 (83 v. 41), be so amended as to read as follows:

SEC. 3767. An association incorporated for the purpose of receiving gifts, devises or trust funds, to erect, establish or maintain an academy in any department of fine arts, or a gallery for the exhibition of paintings, or sculpture or works

Organic rules
which may be
prescribed in
certain
articles of in-
corporation.

of art, or a museum of natural or other curiosities, or specimens of art or nature promotive of knowledge, or a law or other library, or courses of lectures upon science, art, philosophy, natural history, or law, and to open the same to the public on reasonable terms, or an industrial training school, or a mechanics' institute for advancing the best interests of mechanics, manufacturers and artisans, by the more general diffusion of useful knowledge in those classes of the community, or homes for indigent and aged widows, and unmarried women, and whose directors or trustees may be of either sex, may in its articles of incorporation prescribe the tenure of office of the trustees or directors, the mode of appointing or electing successors, the administration and management of the property, and trust and other funds of the corporation, and such other organic rules as may be deemed expedient or acceptable to donors, which shall be and remain the permanent organic law of the corporation.

SECTION 2. Section 3767, as amended March 26, 1886, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 21, 1887.

[House Bill No. 825].

AN ACT

To amend section 1720 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1720 of the Revised Statutes, as amended May 15, 1886 (Ohio Laws, 83, p. 169), be amended so as to read as follows:

Board of re-
vision: its
powers and
duties.

SEC. 1720. The mayor, the president of the board of councilmen and the solicitor of the corporation shall constitute a board of revision, which shall meet as often as once in every month, to review and investigate the proceedings of the council and of all [the] other departments of the corporation government; and to report to council any and all irregularities which may be discovered in any of the departments, or in the acts of any of the officers or employes of any of the departments, and they shall report whether any and what retrenchment in the expenses of the corporation, and what improvement in any department of the corporation government can be made. In making an investigation provided for herein, they shall have power to send for persons and papers, issue

subpoenas and enforce the attendance of witnesses and examine them under oath; and if a witness shall refuse to attend or to testify when in attendance upon the board, the board shall have power to commit such witness to jail for contempt of said board, there to remain until he submits to attend, be sworn and testify; and if in the course of such investigation, the testimony of any witness, whose personal attendance cannot be secured, be desired, his deposition may be taken and used in the investigation. They may employ, at a fair compensation, competent accountants, to examine any books, papers, contracts or other writings connected with any investigation; and they may also expend not to exceed one thousand dollars in any one year in employing an attorney and a stenographer and for other incidental expenses in conducting such investigations; and it shall be the duty of all constables, police officers, police court officers, and other persons thereto duly deputized by the chairman of said board, to serve subpoenas and other process of said board. Witnesses, constables and other officers, (except police officers,) in attendance at the investigation conducted under the provisions of this section, shall be entitled to the fees and mileage prescribed by law for similar services.

SECTION 2. That said section 1720, as amended May 15, 1886 [83 O. L., p. 169], be and it is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 21, 1887.

[House Bill No. 1009].

AN ACT

To amend section 3832 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3832 of the Revised Statutes of Ohio, be so amended as to read as follows:

SEC. 3832. Any such incorporated association may purchase or lease suitable grounds and erect thereon such buildings as the board of directors deem proper for the interest of the association. And such association may lease any portion of such building, that is not occupied by or needed for its immediate use, and such incorporated association shall have power, for the purposes mentioned in this section, to borrow money and execute and sell or otherwise dispose of its bonds or other obligations, secured by a mortgage of its property or otherwise.

Boards of
trade and
chambers of
commerce:

May purchase
or lease
grounds and
erect build-
ings.

Issuing of
bonds.

SECTION 2. That section 3832 of the Revised Statutes of Ohio is hereby repealed; and this act shall take effect from its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed February 21, 1887.

[House Bill No. 71].

AN ACT

To repeal sections 4008, 6987 and 6988 of the Revised Statutes of Ohio.

Repeal of the
'Black Laws.'

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 4008, 6987 and 6988 of the Revised Statutes of Ohio be and the same are hereby repealed.

SECTION 2. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed February 22, 1887.

[House Bill No. 679.]

AN ACT

To amend section 2679 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2679 of the Revised Statutes of Ohio be amended to read as follows:

Appointment
and compen-
sation of law
librarians in
municipali-
ties.

SEC. 2679. The judges of the court of common pleas of any county, other than the county described in section 2678, containing a city in which there is a law library association which provides to all county officers and judges of the several courts the use of its law books, free of charge, shall, upon the recommendation of the trustees of such association, appoint a suitable person as a special bailiff to act as librarian of such association, and fix his compensation at a sum not to exceed five hundred dollars, to be paid out of the county treasury.

SECTION 2. That section 2679 of the Revised Statutes is repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed February 22, 1887.

[House Bill No. 740].

AN ACT

To amend section 1530 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1530 of the Revised Statutes of Ohio be amended so as to read as follows:

SEC. 1530. Each trustee shall be entitled to one dollar and fifty cents for each day's service in the discharge of his duties in relation to partition fences, to be paid in equal proportions by the parties; and one dollar and fifty cents for each day's service in the business of the township, to be paid out of the township treasury; (and each trustee shall present an itemized statement of his account for per diem and service as aforesaid, which, before it is allowed, shall be duly verified before a justice of the peace or the clerk of the township and filed with the clerk of the township, and by him preserved). But in no township shall the compensation of any trustee exceed one hundred and fifty dollars, to be paid out of the treasury, including services in connection with the poor, for one year.

Compensation of township trustees.

Limitation

SECTION 2. That section 1530 of the Revised Statutes is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed February 22, 1887.

[House Bill No. 702].

AN ACT

To amend Section 5573 of the Revised Statutes of Ohio.

Injunctions:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5573 of the Revised Statutes of Ohio be so amended as to read as follows:

When and by whom granted.

SEC. 5573. The injunction may be granted at the time of commencing the action, or at any time afterward, before judgment, by the supreme court or a judge thereof, the circuit court or a judge thereof, in his circuit, the common pleas court or a judge thereof, in his district, or the probate court, in causes pending therein; and in the absence from any county of the judges of both the common pleas and circuit courts, the injunction may be granted in actions pending in either of such courts by the probate judge of the county, upon its appearing satisfactorily to the court or judge, by affidavit, of the plaintiff or his agent, that such plaintiff is entitled thereto. When the injunction has been allowed, and during the pendency of the action in the common pleas court has been vacated, either by a judge thereof in vacation, or by the court previous to the trial of the action, and an appeal is taken, after such trial, from the judgment or final order of the common pleas court to the circuit court, an injunction may be granted at any time before judgment or final order in the action in the circuit court, by the circuit court in which action is pending or a judge thereof, upon its appearing satisfactorily to such court or judge, by affidavit of such party or his agent, that he is entitled thereto; and upon like proof, an injunction may also be allowed by the supreme court or the circuit court, or by a judge of either, as a temporary remedy, during the pendency of a case on error or appeal in such courts respectively.

SECTION 2. That section 5573, as amended April 1, 1886 (83 v., p. 61), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed February 24, 1887.

[Senate Bill No. 28].

AN ACT

To provide for the payment of improvements made under certain leases from the state held by John Hole and William H. Beery.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be refunded to Charles Fanger, administrator of the estate of John Hole, deceased, and William H. Beery, the sum of \$10,000, by reason of rents paid the state under certain leases held by John Hole, deceased, and William H. Beery; and the sums herein authorized to be paid shall be in full satisfaction of all claims against the state under such leases. For the payment of the same, there is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of \$10,000.

Appropriation to pay claims of Wm. Beery and estate of John Hole.

SECTION 2. The auditor of state is hereby authorized and directed to issue his warrant upon the treasurer of state to Charles Fanger, administrator of the estate of John Hole, deceased, for the sum of \$5,000, and to William H. Beery, for the sum of \$5,000.

SECTION 3. There is hereby granted to the heirs of John Hole, deceased, viz: Susan Fanger, William Hole, Sarah Hole and Effie Hole, the tract of land in Celina, Ohio, known as the Hole mill property, and to William H. Beery the tract of land in Celina, Ohio, known as the Beery mill property.

Granting said parties certain lands.

SECTION 4. The governor is hereby authorized and directed to execute and deliver deeds for and on behalf of the state to the parties, according to the respective grants made in the preceding section.

Governor to execute deed.

SECTION 5. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed February 24, 1887.

AN ACT

To amend sections 1, 2 and 3 of an act entitled an act to provide for the relief of Union soldiers, sailors and marines, and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors, and marines, passed May 19, 1886, (vol. 83, page 232).

Levy of tax
for relief of
indigent sol-
diers, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of the several counties of this state are hereby authorized to levy, in addition to the taxes now levied by law, a tax not exceeding three-tenths of one mill upon the taxable property of their respective counties, to be levied and collected as now provided by law for the assessment and collection of taxes, for the purpose of creating a fund for the relief of honorably discharged indigent Union soldiers, sailors and marines, and the indigent wives, widows and minor children of such indigent or deceased Union soldiers, sailors or marines, to be disbursed as hereinafter provided.

Report of
township
trustees and
councilmen
to commis-
sioners.

SECTION 2. It is hereby made the duty of the board of trustees of the several townships in this state and the councilmen of wards in cities to make a written report to the county commissioners of their respective counties, on or before the first Monday of June in each year, containing a list of the names of all the resident honorably discharged indigent Union soldiers, sailors and marines, or the indigent wives, widows or minor children of the same, requiring aid and entitled to relief under the provisions of this law, and the probable amount necessary for that purpose for the ensuing year. And at their June session the county commissioners of the several counties shall make such levies as in their judgment may be necessary to raise the required relief.

Date of levy.

The soldiers
relief com-
mission.

SECTION 3. The judge of the court of common pleas in each county of this state in which any of the township trustees or councilmen have made return of honorably discharged indigent soldiers, sailors or marines, or indigent wives, widows or orphan children, as provided in section 2 of this act, shall, on or before the first Monday of October, after such report is made, appoint three persons, residents of such county, at least two of whom shall be honorably discharged Union soldiers, one to serve three years, one to serve two years, one to serve one year from date of appointment, and each year thereafter one person to serve for three years. Such persons so appointed, when organized by the selection of one of their number as chairman, and one as secretary, shall be designated and known as, "the soldiers' relief commission." In the event of a vacancy in said commission occurring from any cause, the judge of the common pleas court shall fill the vacancy for the unexpired term. Nothing, however, in this act shall be construed as affecting or changing the present "soldiers' relief commission" as now constituted in the various counties of the state.

Vacancies;
existing relief
commissions.

SECTION 4. That said original sections 1, 2 and 3 be and the same are hereby repealed.

SECTION 5. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 4, 1887.

[House Bill No. 834].

AN ACT

To amend sections 2478 and 2491 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2478 and 2491 as amended April 2, 1880, (77 O. L., p. 109), of the Revised Statutes, are so amended as to read as follows:

SEC. 2478. The council of any city or village in which natural or artificial gas companies, or gas-light and coke companies, may be established, or into which their pipes or mains may be conducted, are hereby empowered to regulate, from time to time, the price which such natural or artificial gas or gas-light and coke companies may charge for gas, for lighting or fuel purposes, furnished by such companies to the citizens, public grounds and buildings, streets, lawns, alleys, avenues, wharves and landing places; and such natural or artificial gas-light or gas-light and coke companies shall, in no event, charge more for any natural or artificial gas furnished to such corporation or individuals, than the price specified by ordinance of such council; and such council shall also have power to regulate and fix the price which such companies may charge for rent of their meters.

Regulation of
the price of
natural and
artificial gas.

SEC. 2491. A municipal corporation may contract with such company for supplying, with natural or artificial gas for the purpose of lighting or heating, the streets, squares and other public places and buildings, in the corporation limits; but this section shall be subject to the restrictions in the last clause of section thirty-five hundred and fifty-one.

Limitation on
price.

Rent of me-
ters.

Contract to
supply mu-
nicipality
with gas.

SECTION 2. That section 2478 and section 2491 as amended April 2, 1880 (77 v. 109) are repealed.

SECTION 3. This act shall take effect and be in force on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 4, 1887.

[House Bill No. 728].

AN ACT

To amend section 676 of the Revised Statutes of Ohio.

O.S. & S.O.H.:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 676 of the Revised Statutes of Ohio be amended so as to read as follows:

What children received, and how long retained.

SEC. 676. The trustees are authorized and required to receive into the home, under such rules and regulations as they adopt, the children and orphans residing in Ohio of such soldiers and sailors who have died or may hereafter die by reason of wounds received or disease contracted in the late civil war, that are found to be destitute of the means of support and education; and the children, also, of permanently disabled or indigent soldiers and sailors of said service found destitute as aforesaid; and all children admitted shall be supported and educated until they are sixteen years of age, unless for good cause sooner discharged. The board of trustees may, however, in the case of the female children admitted to the home, and children who are crippled or disabled, retain such children until they arrive at the age of eighteen years, and also retain all children who are members of the graduating class until the close of that school year.

SECTION 2. That original section 676 is hereby repealed; and this act shall take effect on and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 4, 1887.

[House Bill No. 710].

AN ACT

To amend section 2501 of the Revised Statutes of Ohio.

Street railways:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2501 of the Revised Statutes of Ohio be amended so as to read as follows:

Terms and conditions of construction and operation to be fixed by council.

SEC. 2501. No corporation, individual or individuals, shall perform any work in the construction of a street railroad, until application for leave is made to the council in writing, and the council by ordinance shall have granted permission, and prescribed the terms and conditions upon, and the manner in which the road shall be constructed and operated, and the streets and alleys which shall be used and occupied therefor; and cities of the first and second grade of the first class, and

of the second grade of the second class may renew any such grant at its expiration upon such conditions as may be considered conducive to the public interest. Renewal of grant.

SECTION 2. That said original section 2501 is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 4, 1887.

[House Bill No. 696].

AN ACT

To amend section 5165 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section five thousand one hundred and sixty-five of the Revised Statutes of Ohio be amended so as to read as follows: Jurors:

SEC. 5165. If the trustees of any township, or the councilmen of any ward, fail to return the names of jurors, as herein required, to the clerk of the court, or shall return the names of persons exempt by law from serving as jurors, the clerk shall, on ascertaining the fact, immediately notify the trustees or councilmen of the failure or improper return, and they shall thereupon meet, and select and return to the clerk, without delay, the requisite number of names of competent persons as aforesaid, and the names of the persons so returned shall be placed in the box, as if returned with the poll-books. Failure of township trustees or councilmen to return proper lists.

SECTION 2. That said original section number 5165 is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 4, 1887.

[House Bill No. 1055].

AN ACT

To change the times of holding the [courts] of common pleas in the counties of Adams and Clermont, for the year 1887.

Changing
times of hold-
ing common
pleas courts
in Adams and
Clermont
counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the time fixed by the judges of the 5th judicial district of Ohio for holding a term of the court of common pleas in Adams county, on the 12th day of April, A. D. 1887, and for holding a term of said court in Clermont county, on the 17th day of May, A. D. 1887, be changed, so that said terms shall be held as follows; in Adams county, on the 10th day of May, 1887, and in Clermont county, on the 31st day of May, 1887.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 602].

AN ACT

To amend an act to amend the act entitled "an act to provide for draining and reclaiming the swamp and overflowed lands granted to the state of Ohio by act of congress, approved September 28, 1850," passed April 25, 1854, (Curwen, chapter 1454).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the ninth section of the act to which this is amendatory, be and the same is hereby amended so as to read as follows:

Swamp lands: SEC. 9. That if there shall remain any of the said lands undisposed of, it shall be the duty of the county commissioners of such county to appraise the same and make return of such appraisal as aforesaid; upon the filing of such return in his office, the said county auditor is hereby authorized to sell the said lands at the appraised value thereof, to any applicant therefor; and in all cases of sales as prescribed in this section, the said county auditor shall receipt to the purchaser for the amount of money received, and describe therein the lands sold, which said receipt, upon presentation and delivery to the governor, shall entitle the purchaser to a patent for such lands, to be executed and recorded as prescribed by sections 7 and 8 of the act to which this is an amendment; and provided further, that if any work heretofore done under

Appraisal of
those unsold.

Sale of.

Purchaser's
deed.

any contract made for the reclamation of said lands has been of benefit to said lands, and for any sufficient reason said contracts were not entirely complied with, then said commissioners shall pay to such persons as shall have performed said work, the just value of said work and improvement; and if said lands have been inadvertently placed upon the duplicate for taxation while the title thereof still remained in the state or United States, then said commissioners shall refund to the person having paid said taxes the full amount thereof, together with interest from the time of payment of such taxes; but said payment for work and taxes shall be paid on the direction of the commissioners, by order of the auditor on the treasurer, out of funds realized from the sale of any of said lands, on account of which said work was done, and said taxes paid; and said commissioners may likewise compromise and pay to any person any claim or demand on account of any contract heretofore made by the commissioners with any person and not fully performed by reason of the non-compliance on the part of the commissioners with the terms of any contract so made by them.

Payments for work done under contracts for reclamation of said lands.

Refunder of taxes erroneously assessed.

Payments, how made.

Commissioners authorized to compromise claims for work done, as aforesaid.

SECTION 2. Original section 9 of said act is hereby repealed, and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 101.]

AN ACT

To amend section 7023 of the Revised Statutes of the State of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 7023 of the Revised Statutes be amended so as to read as follows:

SEC. 7023. Whoever induces, decoys, or procures any female under eighteen years of age, of good repute for chastity, to have sexual intercourse with any person other than himself, or to enter any house of assignation, or any house of ill-fame, for the purpose of seduction, or prostitution, or knowingly permits any other person to have illicit intercourse with any female of good repute for chastity, upon premises owned or controlled by him, shall be imprisoned in the penitentiary not more than three years nor less than one year.

Inducing illicit intercourse, or permitting it on his premises

SECTION 2. That section 7023, as amended May 1, 1885, (82 v. 209), is hereby repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 790].

AN ACT.

To amend sections 575, 614, 615, 3000, 3120, 5791, 7304 and 7305, of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 575, 614, 615, 3000, 3120, 5791, 7304 and 7305 of the Revised Statutes of Ohio are so amended as to read as follows:

Trial of con-
 test of elec-
 tion of justice
 of the peace.

SEC. 575. The jury of freeholders shall be sworn to try such contest agreeably to evidence, and no evidence shall be admitted but such as relates to the points stated in the notice, and when the trial has closed, the freeholders shall sign their decision, which shall be attested by the probate judge; and if, by such decision, there is a vacancy in the office of the justice of the peace, the judge shall, within three days thereafter, transmit a copy of such decision to the trustees of the township, or the clerk thereof if there are no trustees, who shall forthwith give notice to the electors to fill such vacancy as in other cases; but if, by the decision, the election remains good, he shall transmit the same to the clerk of the court of common pleas, who shall immediately proceed as if no contest had taken place.

Transmittal
 of verdict.

In summary
 convictions
 before jus-
 tices, bills of
 exceptions
 may be taken.

SEC. 614. In all cases of summary conviction before a justice of the peace of any offenses punishable by fine or imprisonment, the party or parties defendant shall have the right to except, and to have a bill containing the exceptions signed by such justice of the peace, and made part of the record; and all such convictions may be reviewed by the common pleas court on proceedings in error, and reversed or affirmed as right and justice may require.

Justice's fees
 for same.

SEC. 615. For signing such bill of exceptions, the justice shall be allowed ten cents, and for copying and certifying the transcript of the proceedings and such bill of exceptions, ten cents for every hundred words, to be taxed in the cost bill and collected as other costs are collected.

SEC. 3000. The justices shall not receive testimony upon any point not named in the notice; and when met, they shall hear the testimony, and certify the same, including a copy of the notice, which shall be delivered to them by the contestor for that purpose, and the same shall be transmitted by them to the court of common pleas of the county, not less than thirty days after the day fixed in the notice to begin the taking of testimony; and the contest shall be heard and determined by the court, if then in session, and if not then in session, at the first term thereof thereafter.

Testimony heard in contests of election of county officers to be certified to common pleas court and there determined.

SEC. 3120. The indenture or covenant of service shall be signed by the father; or, in case of the death or inability of the father, by the mother or guardian; or, in case of an orphan or destitute child, by the trustees of the township, of the one part, and by the master or mistress of the other part.

Execution of indentures of apprenticeship.

SEC. 5791. The jury shall sign the assessments and valuations, and deposit the same with the clerk of the court, before the first day of the next term of the court after the order is made; if either party be aggrieved by any such assessment or valuation, he may apply to the court, at the term to which the proceedings are returned; and the court may, upon good cause shown, set aside such assessment or valuation, order a new valuation and appoint another jury, as hereinbefore provided, which shall proceed in the same manner as hereinbefore directed.

Verdict of jury on claim of occupying claimant for improvements.

Setting verdict aside.

SEC. 7304. If a defendant feels himself aggrieved by any decision of the court, he may present his bill of exceptions thereto, which the court shall sign, and the same shall be made a part of the record, and have the same force and effect as in civil cases; if exceptions be taken to the decision of the court overruling a motion for a new trial, because the verdict is not sustained by sufficient evidence, or is contrary to law, the bill of exceptions must contain all the evidence; and the taking of all bills of exception shall be governed by the rules established in civil cases.

Bill of exceptions by defendant in criminal trial.

SEC. 7305. The prosecuting attorney may except to any decision of the court, and present his bill of exceptions thereto, which the court shall sign and the same shall be made a part of the record.

Exceptions by prosecuting attorney.

SECTION 2. That sections 575, 614, 615, 3000, 3120, 5791, 7304 and 7305 of the Revised Statutes of Ohio are repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 780].

[LUCAS COUNTY].

AN ACT

Supplementary to section 889 of the Revised Statutes of Ohio.

County commissioners:

Duty in respect to appointment of surveyors and engineers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section eight hundred and eighty-nine of the Revised Statutes of Ohio, with sectional numbering as follows:

SEC. 889a. In counties containing a city of the third grade of the first class, in all cases where the county commissioners are directed or authorized by law to employ a surveyor or engineer, and in all cases where the services of a surveyor or engineer are required in such counties, and the county commissioners have the power to appoint such surveyor or engineer, they shall in all cases appoint the county surveyor of such county, or, in case of his inability to act, some competent person in his stead, to do and perform such services; and such surveyor or person so selected shall be subject to all the conditions and restrictions required by law for the work entered upon, and shall receive like compensation as now authorized by law to be given such surveyor or engineer for similar services.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 434]

AN ACT

To amend sections 3185, 3187, 3188, 3192, 3193, 3194, 3195, 3198, 3199, 3200, 3201, 3202, 3203 and 3204 of the Revised Statutes of Ohio.

Lien for labor and materials.

Mode of obtaining such liens upon watercraft, buildings, bridges, wells, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 3185, 3187, 3188, 3192, 3193, 3194, 3195, 3198, 3199, 3200, 3201, 3202, 3203 and 3204 of the Revised Statutes of Ohio be amended so as to read as follows:

SEC. 3185. Such person, in order to obtain such lien, shall, within four months from the time of performing such labor or furnishing such machinery or material, file with the recorder of the county where the labor was performed or the machinery or material furnished, an affidavit containing an itemized statement of the amount and value of such labor,

machinery or material, and a description of any promissory note or notes given for such labor, machinery or material, or any part thereof, with all credits and off-sets thereon, a copy of the contract, if it is in writing, and if it is not in writing, a statement of the amount and times of payment to be made thereunder, and a description of the land on which the house, mill, manufactory or other buildings or appurtenance, fixture, bridge, or other structure, or gas well, oil well or other well, may stand, or be located, or to which it may be removed; and the same shall be recorded in a separate book to be kept therefor, and shall operate as a lien from the date of the first item of the labor performed, or the machinery or material furnished upon or toward the property designated in the preceding section, and the interest of the owner in the lot or land on which the same may stand, or to which it may be removed, for two years from and after the date of the filing of such attested statement; if an action is brought to enforce such lien within that time, the same shall continue in force until the final adjudication thereof; and there shall be no homestead or other exemption against any lien under the provisions of this chapter.

Promissory notes.

Record, extent and duration of such lien.

Exemption laws.

Mode of obtaining lien for labor on and materials for roads, ditches, etc.

Promissory notes.

Record, extent and duration of such lien.

Equality of liens on same job.

Lien of notes.

Payments.

Rights and liabilities of executors and administrators.

SEC. 3187. In order to obtain such lien, such person shall, within four months from the time of performing the labor or furnishing the material or machinery, file with the recorder of the county where such labor was performed or material or machinery furnished, an affidavit containing an itemized statement of the amount and value thereof, and the description of any promissory note or notes given for the same, or any part thereof, an estimate of the amount chargeable to each foot front along the line of the improvement, and if the contract is made with several owners, a description of the land of each, with the number of feet belonging to each abutting on such line, a copy of the contract, if it is in writing, and if not in writing, a statement of the amount and time of payments to be made thereunder, which shall be recorded in a separate book to be provided therefor, and shall operate as a lien on the interest of such delinquent in the abutting land, from the day of the first item of labor done or material furnished for one year from and after the filing of such statement, and if an action is brought to enforce the lien within that time it shall continue in force until finally adjudicated.

SEC. 3188. If several liens be obtained by several persons on the same job, in the manner prescribed by the foregoing sections, they shall have no priority among themselves, and the lien of a promissory note described in any statement filed as provided in said sections, shall take effect from the date of the first of the items included in it; all payments on said liens shall be made pro rata.

SEC. 3192. Executors and administrators of deceased owners shall have the same rights and be subject to the same liabilities under this chapter as such owners would enjoy and be subject to if alive; and when a married woman is owner of any such boat, vessel or other water craft, or the owner of the

Lien on property of married woman for labor, etc. under contract with the husband.

land on which any such house, mill, manufactory, or other building, appurtenances, fixtures, bridge or other structure, or any gas well, oil well or other well is situated or erected, or to which the same is removed, as is mentioned in section 3184, or is the owner of the lands abutting on any such street, turnpike, road, sidewalk, way, drain, ditch or sewer, as is mentioned in section 3186, and has knowledge of any such construction, erection, alteration, repair, or removal, as is mentioned in sections 3184 and 3186, the same being done under a contract with the husband of such married woman, and without her express objection, such husband shall be deemed and held to be the duly and legally authorized agent of said married woman therein.

Lien of sub-contractor upon payments due head contractor, how obtained.

SEC. 3193. Any sub-contractor, material man, laborer or mechanic who has performed labor, or furnished material or machinery, who is performing labor, or furnishing material or machinery, or who is about to perform labor, or furnish material or machinery, for the construction, alteration, removal or repair of any property, appurtenance or structure, as described in sections 3184 and 3186, or for the construction, improvement or repair of any turnpike, road improvement or other public improvement, provided for in a contract between the owner or any board or officer and a principal contractor, and under a contract between such sub-contractor, material man, laborer or mechanic and a principal contractor or sub-contractor, may at the time of beginning to perform such labor or furnish such material or machinery, or at any time thereafter, not to exceed sixty days from the performance of such labor or delivery of such machinery or material, file with the owner, board or officer, or the authorized clerk or agent thereof, a sworn and itemized statement of the amount and value of such labor performed and to be performed, material or machinery furnished, containing a description of any promissory note or notes that may have been given by the principal contractor or sub-contractor on account of said labor, machinery or material, or any part thereof, with all credits and set-offs thereon.

Filing of statement of account.

Promissory note.

Such payments to be detained upon receipt of notice.

SEC. 3194. Upon receiving the notice, such owner, board or officer, or authorized clerk, agent or attorney thereof, shall detain in his hands all subsequent payments from the principal or sub-contractor to secure such claims and the claims and estimates of other sub-contractors, material men, laborers, mechanics, or persons furnishing materials to or performing labor for any contractor or sub-contractor who may intervene before the next subsequent payment under the contract, or within ten days thereafter.

Filing of statement with recorder to notify fellow-laborers etc.

SEC. 3195. Such sub-contractor, material man, mechanic, laborer or person so filing his statement with the owner, board, officer, or authorized clerk or agent or attorney thereof, shall, in order to notify his fellow sub-contractors, material men, mechanics, laborers, and persons furnishing material, at the same time file a copy thereof with the recorder of the county where such property is situate, which, if he fail to do, the fil-

ing of the notice with the owner, board, officer, or authorized clerk, agent or attorney thereof shall give him no preference over other claimants; and for filing or making any copy of such statement, or certificate of the date of such filing, the recorder shall be entitled to the same fees as are provided by law for like services in regard to chattel mortgages.

Effect of failure so to do.

Recorder's fees.

SEC. 3198. All sub-contractors, material men, laborers, mechanics, or persons furnishing material or machinery, who, before the first subsequent payment falls due after the deposit of a copy of such statement with the county recorder by any sub-contractor, material or machinery man, laborer, or person furnishing material, or within ten days thereafter, file with such owner, board, officer or authorized clerk, agent or attorney thereof, a sworn and itemized statement or estimate of the labor, machinery or material furnished or to be furnished by them under a contract with a principal or a sub-contractor, containing a description of any promissory note or notes given for the same, or any part thereof, shall be paid pro rata with the person first so filing such statement and with each other, out of subsequent payments; but upon failure so to do, they shall have no recourse against the owner, board, officer, or the clerk or agent thereof for any prior payments made under his contract with his head contractor or sub-contractor.

Pro-rata payment of sub-contractors out of subsequent payments due head contractor.

Promissory notes.

SEC. 3199. The owner, board, officer, or clerk, agent or attorney thereof, upon the receipt of such statement shall furnish the principal contractor, or sub-contractor, with a copy thereof, within five days after receiving the same, and if such principal or sub-contractor fail, within five days after such receipt by him, to notify, in writing, such owner, board, officer, or clerk, agent or attorney thereof, of his intention to dispute such claim, or neglect or refuse within five days after giving such last named notice to begin the arbitration provided for in the next following section, for a settlement of such dispute, or commence an action to adjust such claim, he shall be considered as assenting to the correctness thereof, and thereupon such subsequent payments shall be applied by such owner, his agent or attorney, pro rata, upon such claim, and the amounts, when due, of such claims or estimates as have been meanwhile filed by other sub-contractors, material men, laborers, mechanics or persons furnishing materials, and assented to or adjusted, as provided for in this chapter, before the first of such subsequent payments or within ten days thereafter; but claims in favor of laborers, mechanics, and persons furnishing material to a contractor, shall be paid before the claims of sub-contractors, and those of sub-contractors before the principal contractor.

Copy of statement to be furnished to head contractor; his duty.

Failure of head contractor to dispute claim or to arbitrate it; effect of.

Priority of claims.

SEC. 3200. If the head contractor dispute any such statement or estimate of his said sub-contractors or material men, or a sub-contractor dispute the statement of any laborer, mechanic, or person furnishing him material, so filed, and it can not be adjusted between themselves, it shall be submitted to the arbitration of three disinterested persons, one to be chosen by each of the parties, and one by the two thus chosen,

Disputed claim to be arbitrated.

and their decision or that of any two of them, shall, in the absence of fraud or collusion, be final and conclusive on the parties.

Remedy of sub-contractor when his contractor or the owner, board, etc., or both, refuse to pay.

SEC. 3201. If a head contractor or sub-contractor neglect or refuse to pay, within five days after his assent to or adjustment of any claim, the amount thereof, and costs incurred, to the sub-contractor or material man, laborer, mechanic, or person furnishing materials, the owner, board, officer or clerk or agent thereof, shall pay, when due, the whole, or a pro rata amount thereof, as the case may be, as above provided out of subsequent payments, and on his failure so to do, within ten days thereafter, the sub-contractor or material man, laborer, mechanic, or person furnishing material, may recover against the owner, in an action for money had or received, when due, the whole or a pro rata amount, as the case may be, of his claim or estimate, not exceeding in any case the balance due to the principal contractor.

When and how sub-contractor may obtain lien on the property of the owner.

SEC. 3202. If out of subsequent payments, as they severally fall due under the contract, and for ten days thereafter, the owner or his authorized agent neglect or refuse to pay, when due, the whole or a pro rata amount, as the case may be, of the sworn statement or estimate of any sub-contractor, material man, laborer, mechanic, or person furnishing material, he shall, upon filing with the recorder of the county wherein the property is situate, an affidavit containing an itemized statement and description of any note, with the amount and value of such labor, machinery, or material, with all credits and set-offs thereon, together with the statements required by sections 3185 and 3187, as the case may be, from principal contractors, have a lien to secure the payment of such claim upon the boat, vessel, or other water craft, or upon the house, mill, manufactory, building, appurtenance, fixture, bridge, or other structure, or gas well, oil well or other well upon which the labor was done, or machinery or material were furnished, and upon the interest of the owner in the lot of land on which the same stands, or to which it may be removed, which lien shall date back from the date of the furnishing of the first item of such labor, machinery or material and have the same operation, effect and duration, and be subject to the same obligation with respect to the owner, or his authorized agent, as the lien of a head contractor in similar cases.

Date of lien.

Such lien entitled to priority over lien of head contractor, assignments, attachments, etc.

Promissory notes.

SEC. 3203. Such lien shall be superior to any already taken or to be taken by the head contractor in respect of the same labor, machinery or material, and the liens of laborers, mechanics, or persons furnishing machinery or material to a contractor or sub-contractor, shall be superior to any lien taken or to be taken by such contractor or sub-contractor indebted to them in respect of such labor, machinery or material. The lien of a promissory note described in any such statement shall take effect from the date of the first item included in such notes; [and an assignment or] transfer by such head contractor, of his contract with the owner, as well

as all proceedings in attachment, or otherwise, against such head contractor to subject or incumber his interest in such contract, shall save and be subject to the claims of every laborer, mechanic, sub-contractor or material man who has furnished any labor, machinery, or material towards the construction, alteration, removal, or repair of any property designated in this chapter.

SEC. 3204. If by collusion or fraud, the owner, board, officer, or the authorized clerk or agent thereof, pay in advance of the payments due under the contract, and thereby diminish the amount of funds for such laborer, mechanic, sub-contractor or material man, he shall be liable to the amount that would have been due at the filing of an account, in the same manner as if no such payment had been made.

SECTION 2. That said original sections 3185, 3187, 3188, [3192], 3193, 3194, 3195, 3198, 3199, 3200, 3201, 3202, 3203 and 3204 be and the same are hereby repealed; and this act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

Effect of collusion or fraud in payment to principal contractor.

[House Bill No. 791].

AN ACT

Supplementary to section 4459 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4459 [of the Revised Statutes] be supplemented as follows:

SEC. 4459a. If at any time after the determination of the apportionment, as provided for by section 4459, any lot of land upon which such assessment is made be sub-divided or any part thereof be sold and transferred upon the duplicates, it shall be the duty of the auditor at the time he makes such transfer to apportion the amount of the assessment between the owners of such lot or lands pro rata, according to the number of feet or acres thereof, that each may own, and certify the same to the treasurer, whose duty it shall be to collect such assessment from each of such owners as so certified.

SEC. 4459b. If at any time after the apportionment by the auditor, as provided for by section 4459a, any person interested therein may apply to the commissioners for a re-apportionment thereof at any regular, special or called session of the commissioners, whose duty it shall be to notify all parties interested of the time and place at which they will meet and determine such apportionment, at least ten

County ditches:

Apportionment of assessment by auditor in case of sub-division, etc., of lands.

Re-apportionment by county commissioners.

days before such meeting, and apportion the same as they may deem just and proper; the provisions of this act shall apply to lands now assessed as aforesaid, and transferred upon the tax duplicate.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[Senate Bill No. 356].

AN ACT

To establish an efficient and non-partisan police in cities of the second grade of the second class.

Dayton board of police commissioners:	SECTION 1. <i>Be it enacted by the General Assembly of the State of Ohio,</i> That in cities of the second grade of the second class, all powers and duties connected with and incident to the appointment, regulation, government and control of the police force shall be vested in a board of police commissioners, consisting of four electors of said city, to be appointed by the governor, who shall appoint as the commissioners above, four citizens, electors of said city, well known for their intelligence and integrity, not more than two of whom shall be of the same political party, and two of whom, of different political party faith and allegiance, shall be designated in their appointment to serve for two years, and the other two, also of different political party faith and allegiance, shall be designated to serve for four years; and thereafter, at the expiration of each term, and at each period of two years, the governor shall appoint two members of such board, who shall be designated to serve for four years. For official misconduct the governor may remove any of said commissioners; and all vacancies in said board, by death, resignation or removal, shall be filled by the governor for the unexpired term; and all vacancies, from whatsoever cause, shall be so filled that not more than two of the members of said board shall be of the same political party faith, or so reputed. The commissioners, before entering upon their duties, shall take and subscribe an oath, which shall be filed and kept in the office of the city clerk, to support the constitution of the United States and of the state of Ohio, and in all their official actions and judgments to aim only to secure and maintain an honest and efficient system of police, free from partisan dictation or control.
Members of.	
Their appointment.	
Qualifications.	
Term.	
Removals.	
Vacancies.	
Oath.	
Board's power of appointment.	SECTION 2. The board of police commissioners shall appoint all policemen and all officers for the police force. Appointments shall be made without reference to party

opinions or affiliations. All appointments of officers for the police force, excepting the superintendent of police, shall, after the first appointments of such officers made hereunder, be by promotion from the grade next below.

SECTION 3. The mayor of the city may be present, and when present shall preside at all meetings of the board of police commissioners, but he shall not be a member thereof, nor shall he have any vote in the proceedings of the board, excepting that in case the board upon their first meeting for organization after the passage hereof, as by this section provided to be held, shall be unable to agree by a majority vote upon the appointment of an acting president, a superintendent of police, and a secretary of the board of police commissioners, or either of them, as hereinafter provided, the mayor presiding shall, after five ballots upon any of said appointments have been taken without a resulting appointment, cast the deciding vote upon such appointment. Within five days after the appointment and qualification of the original commissioners appointed pursuant hereto, said commissioners and the mayor shall meet at the call of the mayor, and at said meeting shall effect an organization of said board by the selection of an acting president and a secretary thereof, and the board shall also, at said meeting, appoint a superintendent of police. The board shall appoint one of its members as acting president, who shall, in the absence of the mayor, preside at meetings of the board, and shall perform the other duties hereinafter prescribed. The term of the acting president shall be for one year, and until the board shall appoint his successor in such office.

SECTION 4. The board of police commissioners shall, within sixty days after their first regular meeting, as provided in section 3 hereof, appoint a police force and officers thereof pursuant to the provisions of this act; and the present police force and officers thereof, in such cities, shall continue as such under the control and management of the board of police commissioners appointed hereunder, only until the appointment and qualification of such new force and officers; but the superintendent of police and the secretary of the board shall, immediately upon their appointment and qualification, enter upon their duties; and as appointments of officers and members of the force are, within said sixty days, made by said board, such officers and members may be designated to take the places of officers and members of corresponding rank on the present force, who may be thereupon forthwith discharged by the board; and appointments of officers or members of the new force may be made, agreeably to the provisions of this act, from officers or members of the present force, or from other electors of such city.

SECTION 5. The board of police commissioners shall have power to appoint a superintendent of police, a captain of police, and an additional captain for each fifty patrolmen more than the first fifty that may be called into service, a sergeant of police for each twelve patrolmen, a roundsman for

Promotions.

Mayor may preside at meetings, but shall have no vote.

When he may cast deciding vote.

Selection of an acting president, and secretary; appointment of a superintendent.

President's term.

Time and mode in which the present force shall be succeeded.

Superintendent and secretary to enter upon their duties at once.

Appointments from present force.

Number of officers and men to be appointed.

Appointees on probation: their discharge.

Additional patrolmen in case of emergency.

Station house keepers, clerks, etc.

Special police.

Detective force.

Its chief.

Secretary: his salary, duties, removal, bond and oath.

Rules governing the qualifications, appointment, discharge, duties, etc., of members of force.

each police precinct, and also regular or compensated patrolmen, not exceeding one to each seven hundred and fifty inhabitants of such city. The board may appoint any patrolmen on probation, and may discharge those so appointed at any time within six months from the date of appointment; provided, that if patrolmen so appointed on probation and discharged shall demand it, the cause of his discharge shall be assigned him by the board in writing. The board shall have power, in case of emergency or special necessity, to appoint as many additional patrolmen as it shall think proper, which appointment shall continue only during the continuance of such emergency or special necessity, as determined to exist by the board. The board shall appoint necessary station-house keepers, clerks, and other subordinates, necessary to the efficient administration of the police laws and regulations, within the scale of the powers of said board. The board may appoint persons of suitable character who may be in the employment of the city in other branches or departments, special patrolmen or policemen; but such special patrolmen or policemen shall not be paid for their services as such from the public fund of the city or county treasury; and such special patrolmen or policemen shall possess the same powers as the regular patrolmen, and shall obey the rules and regulations governing the police force, and conform to its general discipline.

SECTION 6. The board of police commissioners may, from the patrolmen, appoint detectives, not exceeding six in number, who shall act as secret police or detectives, and the board may, from the patrolmen, fill vacancies in said detective force. The board may appoint a chief of the detective force, from the members thereof, who shall have charge thereof, subject only to the control of the board and the superintendent of police; and said detectives and said chief shall hold such positions at the will of the board.

SECTION 7. The board shall appoint a secretary thereof, at a salary not to exceed fifteen hundred dollars per annum, who shall keep the records, have charge of the office of the board, shall perform such duties as are required of him by the board, and may be removed by the board at any time. The secretary shall give bond in the sum of three thousand dollars conditioned for the faithful performance of his duties, and for the faithful accounting for all moneys that may come into his hands as such secretary. Said bond shall be approved by the board, and filed in the city clerk's office; and the secretary shall take and subscribe an oath of the same nature as that prescribed for the commissioners.

SECTION 8. The qualifications, enumeration and distribution of duties of each member and officer of the police force shall be particularly defined and prescribed by rules and regulations of the board of police commissioners, not inconsistent with the further provisions hereof. Each member and officer of the police force, the secretary of the board, and each appointee of the board in any capacity shall be an elector of the city in which he is appointed, and able to read and write

the English language understandingly. No person shall be appointed a member or officer of the police force, unless he is well known to be a man of sobriety and integrity, and has been and is an orderly and law-abiding citizen. No man shall be appointed a member or officer of the police force who has been convicted of any felony, or who has been convicted of any misdemeanor within three years previous to his appointment, or has been engaged in any unlawful calling, or has pursued any calling in a manner forbidden by law; nor shall any person be appointed a member or officer of said force on account of any political partisan service rendered by him, or on account of political sentiments or affiliations; nor shall any officer or member of said force be discharged or removed, or reduced in grade or pay, for any political or partisan opinion. Their appointment and continuance upon said police force shall depend solely upon their willingness and ability to enforce the law. All appointments on the police force hereunder, of officers or members thereof, shall continue during good behavior and continued ability fully to discharge the duties of the position. The board of police commissioners shall have power to call for information, to summon applicants for appointment before them for examination as to their fitness, to summon witnesses, and to take any other lawful means which shall enable them to form a correct and intelligent judgment as to the fitness of applicants. No member or officer of the police force shall, after his appointment by the board as herein directed, be removed from the force or reduced in grade or pay for any reason, except inefficiency, misconduct, in-subordination or violation of law; except that, in the case of patrolmen appointed on probation, their discharge within six months from their appointment shall be in the discretion of the board.

Rules continued.

Partisan appointments and removals forbidden.

Time during which appointments shall continue.

Examination of applicants.

Causes for removal, discharge, or reduction in grade or pay.

Charges against members of force.

SECTION 9. Any person may prefer charges, which shall be signed by the person making same, against an officer or member of the police force, which charges shall be filed in the office of the mayor, and be by him communicated without delay to the board of police commissioners, whose duty it shall be to investigate and decide upon said charges. It shall be the duty of the mayor, whenever probable cause appears, to prefer charges against any member or officer of the force, whom he believes to have been guilty of any conduct justifying his removal or punishment in the interest of the public order. In any case where charges have been made against an officer or member of the force, the mayor or the board may suspend from duty, or from both pay and duty, the officer or member against whom such charges have been made; and such suspended officer or member shall not be placed upon duty or allowed pay after suspension therefrom, pending the action of the board upon such charges. All charges against members or officers of the police force shall be forthwith filed by the mayor in the office of the board of police commissioners, and within three days after such filing,

Suspensions pending action of the board.

Summary hearing of charges.

Record of charges and findings.	<p>the board shall proceed to hear and examine said charges. All charges shall be taken as denied, and the hearing shall be summary and without pleading, and the action of the board thereon shall be final. A record of charges and findings shall be made by the board, and kept in their office. The board shall have power to, and shall issue subpoenas attested in the name of the acting president of the board, to compel the attendance of witnesses, to administer oaths and affirmations, and generally shall, for the purposes of such hearing, have and exercise the powers and duties of justices of the peace in civil cases, so far as the same are applicable. If on such hearing, the charges are sustained, the officer or member of the force shall pay the costs of such proceeding, and the same may be deducted and withheld from his pay. The board may discharge, suspend, or reduce the grade and pay of any person found guilty as above. No officer or member of the police force who has been found guilty and discharged, shall ever be eligible for re-appointment to the force in any capacity whatever, unless it shall be afterwards proved to the board that their decision was erroneous, and that, in fact, he was not guilty of the offense for which he was dismissed.</p>
Costs to be paid by member, when.	<p>SECTION 10. Each member of the board of police commissioners shall receive a salary of three hundred dollars per annum.</p>
Sentencing power of board.	<p>SECTION 11. The superintendent of police shall receive a salary not exceeding two thousand dollars per annum; each captain of police shall receive a salary not exceeding sixteen hundred dollars per annum; each sergeant shall receive a salary not exceeding twelve hundred dollars per annum; each detective and the chief of detectives a salary not exceeding twelve hundred dollars per annum; each roundsman a salary not exceeding eleven hundred dollars per annum; and the pay of each patrolman shall not exceed the sum of nine hundred dollars per annum.</p>
Ineligibility to reappointment.	<p>SECTION 12. The salaries of officers and pay of patrolmen provided for in section eleven hereof, shall be fixed by the board of police commissioners, and shall be paid monthly to each person entitled thereto. The salary of the secretary of the board shall be paid monthly; and the salaries of the commissioners shall be paid quarterly. The compensation of station-house keepers and other subordinates shall be fixed by the board, and shall be paid monthly.</p>
Salary of member of board.	<p>SECTION 13. No officer or member of the police force shall, for his own benefit, under any pretense whatever, receive or share in any present, fee, gift or emolument for public services, other than the regular salary and pay, except by the consent of the board and superintendent, publicly given; nor shall any officer or member share in or receive any fee, gift or reward, from any person who may become bail for any arrested, accused or convicted person, or who may become surety for any such person on error to the judgment or decision of any court or magistrate, or any fee, gift or reward, in any case from an attorney-at-law who may prosecute or</p>
Maximum salaries of members and officers of force.	
Amount of salaries, how fixed; time of payment.	
Presents, fees, etc., to members of force prohibited.	

defend any person arrested or prosecuted for any offense within the county within which such city may be situated; nor shall any such officer or member, either directly or indirectly, interest himself or interfere in any manner whatever in the employment of any attorney to aid in the defense of any person arrested or accused; and for any violation of either of the foregoing provisions, the person or persons so offending shall be immediately removed from the police force.

Also, interference in employment of attorneys.

SECTION 14. Meetings of the board of police commissioners, for the transaction of business, shall be held at their office upon some particular days to be designated by them, and at such other times as two of said commissioners shall call a meeting of said board, by a written notice filed with the secretary of the board, whose duty it shall be forthwith to notify the other members of said board, and mayor of the time of such meeting. A majority of the board shall be a quorum for the transaction of business, but the mayor shall not be counted to make such quorum; and it shall require the affirmative vote of a majority of the board to pass any measure or authorize any act by the board.

Meetings of board; transaction of business.

SECTION 15. The board of police commissioners shall possess full power and authority over the police organization, government, appointments and discipline within such city, and shall have possession and control of all property, books, records and equipments belonging to the police department or under the control of the police authorities. And the board may procure all such equipments for the rapid transportation of police from one point to another in such places within the city as for purposes of police the board may deem necessary, and shall have power to erect and maintain all such lines of telegraph or other means of communication as for said purposes the board deems necessary, whenever the council authorizes the procuring of said equipments for transportation, or the establishment of such telegraph line or lines, or other means of communication, and provides for the cost thereof; provided, however, that the board may use for such purposes the contingent fund hereinafter established. In case of riot or insurrection, or any like emergency within such city, which in the judgment of the mayor requires the intervention of the police force, he shall have power to call out the whole force and control the same and the officers thereof, during the emergency; and in case of any emergency in such city, which, in the judgment of the mayor, requires a temporary increase of the members of the police force, he shall have the power to appoint as many other patrolmen or officers as he may deem necessary, to serve as long as such emergency exists, not exceeding five days. The compensation of such patrolmen or officers shall not exceed that provided for patrolmen or officers of the regular force, and payment thereof shall be provided for by the board of police commissioners.

General powers of board.

Patrol equipments.

Police telegraph.

Powers of mayor in case of riots, etc., to call out whole force and appoint additional patrolmen.

Compensation of such patrolmen.

Police duties of mayor, board of police commissioners and police force.

SECTION 16. It shall be the duty of the mayor, the board of commissioners and of the police force hereby constituted, at all times of the day and night, within the boundaries of the city, to preserve the public peace, prevent crime, arrest offenders, protect rights of persons and property, guard the public health, preserve order, remove nuisances existing in public streets, roads, places and highways, report all leaks or other defects in water-pipes and sewers to the proper authorities, to provide a proper force at every fire, in order that thereby the firemen and property may be protected, to protect strangers and travelers at railway stations, and generally to obey and enforce all ordinances of the city council and criminal laws of the state and of the United States.

Oath of officers and members of force.

SECTION 17. Each officer and member of the police force, before entering upon the discharge of his duties, shall take an oath before the mayor, who is hereby empowered to administer the same, well and faithfully to discharge the duties of his office, which oath shall be subscribed by the person taking it, and shall be filed and preserved in the office of the police commissioners. The superintendent of police shall give a bond for the faithful discharge of his duties, in the sum of three thousand dollars, to be approved by the board, which bond shall be filed with the secretary of the board, and thereafter, under the direction and control of the board, such superintendent of police shall have command and control of the police force of such city. Each regular captain of police, and each regular sergeant shall give a bond in the sum of one thousand dollars; and each regular roundsman and each regular patrolman shall give a bond in the sum of five hundred dollars. Each of said bonds shall require the approval of the board of police commissioners, shall be conditioned for the faithful discharge of the duties of the person giving the same, and shall be filed in the office of said board, duly approved, before the person giving the same shall enter upon the discharge of his duties.

Superintendent's bond; his general powers.

Bonds of officers and patrolmen.

Police manual; duty of officers and patrolmen to inform themselves as to their duties.

SECTION 18. The commissioners shall cause to be prepared a convenient manual, containing a compend of all the laws and ordinances which the police force is required to obey or enforce; and such instructions as shall aid them in the intelligent discharge of their duty. Each officer and member of the force shall be supplied with a copy, for the preservation of which he shall be held responsible as for other public property. It shall be the duty of every member and officer of the force to make himself acquainted with the directions contained in the manual, and in every way to become familiar with all the duties of his position. The superintendent shall be especially charged with the duty of instructing members and officers of the force in their duties, and from time to time examining them as to their knowledge of the requirements of their position. It shall, furthermore, be the duty of the board of police commissioners, at least twice in each year, to require the examination and inspection of the entire force, and for this purpose the board shall appoint one of the police

Superintendent to instruct officers and patrolmen.

Examination and inspection of force; examiner.

commissioners an examiner to assist the superintendent in such general examinations. Gross ignorance of the laws and regulations governing the police force, after six months' service as officer or member, shall be deemed conclusive proof of inefficiency, and shall require the removal of such officer or member of the force.

Removals for inefficiency.

SECTION 19. Fifteen per cent. of all rewards, fees, proceeds of gifts, and emoluments that may be allowed by the board of police commissioners to be paid, or given, on account of extraordinary services of a member of the police force, all unclaimed money, the proceeds arising from the sale of unclaimed property, and one-third of the moneys received by the board from all sources whatever, the disposition of which is not otherwise provided for by this act, all witness fees allowed members or officers of the police force in the criminal court or before the grand jury of the county, and all fines imposed by the board of police commissioners upon officers or members of the force, shall be paid into the city treasury, and shall constitute the police life and health insurance fund; and the persons who from time to time constitute the board of police commissioners of such city, together with two members of the police force, to be elected by the members of said force on the first Tuesday of January of each year, except the first election, which shall take place ninety days after the first regular meeting of the board of police commissioners, as provided in section three hereof, shall constitute and are hereby declared to be trustees of said fund; and the acting president of the board of police commissioners shall be the president of the board of trustees hereby created, and the secretary of said board of police commissioners shall be the secretary of said board of trustees, and it is hereby made his duty to keep a record of the proceedings of said board of trustees, and of all action taken by it with regard to the fund, and with regard to the members of said police force; and said board of trustees shall have power, for the purposes of investment, to draw such fund from the treasury, on the warrant of the president of said board of trustees, countersigned by the secretary, and may invest the same in interest-bearing bonds of the United States, the state of Ohio, or of the city wherein said board is situate, and shall make reports to the city council of the condition of the fund on the first day of March of each year.

Police life and health insurance fund.

Trustees of the fund.

Said fund how to be invested.

Trustees' annual report.

SECTION 20. When an officer or member of the police force, in the performance and in consequence of the performance of official duty, becomes bodily disabled, his necessary expenses during such disability may be paid from the said "police life and health insurance fund," at the discretion of said board of trustees of said fund; and said board shall inquire into the circumstances, and, if satisfied the charge upon the fund is correct, may order the same to be paid, which shall be done by the draft of the trustees upon the fund, and such draft, when signed by a majority of the said trustees, shall be countersigned by the secretary, and paid out of said

Beneficiaries of such fund; payments to.

fund by the city treasurer. The board of trustees shall by warrant drawn as last above provided, within thirty days after the death of any officer or member of the police force who has been killed while in the execution of his official duty, or who has died in consequence of injuries received while in the execution of his official duty, pay the sum of five hundred dollars to his widow or minor children, or if there be no widow or minor children, then to such person or persons as were dependent upon the deceased for support; but if there be no such dependent person, then no money shall be paid from the fund on account of such deceased member, except a sum not to exceed one hundred and fifty dollars, to be used to defray the funeral expenses. The provisions of this section shall apply also to any additional officers or patrolmen appointed by the mayor or the board of police commissioners, under section five or section fifteen hereof, excepting such employes of other branches of the city government as may be appointed special patrolmen or policemen under section five; nor shall the provisions of this section apply to private patrolmen, appointed under section twenty-two hereof. The possession, management and control of all moneys and investments now under control of the board of trustees of the "police life and health insurance fund," or of the police pension fund, in such cities, shall be transferred to the board of trustees herein provided for, immediately upon their organization.

Non-beneficiaries.

Transfer of moneys, etc., on hand to the trustees.

Division of city into police precincts.

Obedience to superintendent.

Private patrolmen.

SECTION 21. It is hereby made the duty of the board of police commissioners where the same has not already been done, for more effectually distributing and enforcing its police government and discipline, to divide the city into precincts without regard to ward bounding; to assign sergeants of the police to each of the precincts of said city as they may deem for the best interests of the city; to establish from time to time, in their discretion, a station or sub-station in each precinct or division for the accommodation of the police force on duty therein; to promulgate all regulations and orders through the superintendent of police, and the police force shall respect and obey the superintendent, subject to the rules and regulations and general orders of the board.

SECTION 22. The board of police commissioners may, on the application of any person who shows the necessity thereof, appoint any number of private patrolmen to do duty at any place within the city at the charge and expense of the person by whom the application is made; and the patrolmen so appointed, after being sworn, shall be subject to the orders of the board of police commissioners, and shall obey the rules and regulations of said board, and conform to its general discipline, and to such other special regulations as may be made, and shall wear such dress or emblem as the board may direct, and during their term of holding appointment they shall possess all the powers and privileges and perform all the duties of the patrol force herein prescribed; provided, that the party so applying for such appointment

shall first pay into the "police life and health insurance fund" the sum of five dollars for each private patrolman thus appointed; and provided further, that the person so appointed may be removed at any time by the board of police commissioners without assigning cause therefor.

SECTION 23. Every case of arrest shall be made known to the captain or sergeant upon duty in the precinct wherein such arrest was made, by the person making the same, and it shall be the duty of said captain or sergeant, as soon as practicable after such notice, to make a written return thereof, according to the rules and regulations of the board of police commissioners, together with the name of the party arrested, the offense, the place of arrest and the place of detention.

SECTION 24. The necessary costs and expenses of providing for, and the maintenance of the police department hereby created, shall be a city charge.

SECTION 25. The board of police commissioners shall prepare and submit to the city council for approval, on or before the first day of May in each year, an estimate of the cost and expenses of providing for and maintaining the police department of such city within the current fiscal year, which estimate shall be in detail, and the city council shall provide for the same in [the] general tax assessment, and the money when collected shall be paid into the city treasury, and styled "the metropolitan police fund," and shall be drawn therefrom for police purposes only, under the regulations of this act. All costs and expense of every nature of providing for and maintaining the police department of such city shall be paid out of said "metropolitan police fund" as hereinafter provided, except so far as incidental and extraordinary expenses are provided to be paid out of the contingent fund hereinafter established.

SECTION 26. All moneys hereafter to be paid to any person out of the "metropolitan police fund" or out of the "contingent fund," shall be paid only by the order of the board of police commissioners, upon the warrant of the secretary of said board, countersigned by the acting president thereof, which warrant shall be drawn upon the city treasurer against the proper fund, shall be made payable to the order of the person or persons entitled to receive said moneys, and shall state the fund to which it is chargeable. Said board of police commissioners shall audit all claims created under existing laws, and the same, when thus audited, shall be paid in the manner provided for the payment of expenses incurred under this act.

SECTION 27. All moneys collected by the mayor or police court of such city on account of the service by the police force of writs issued by such court or mayor, shall be monthly paid to the board of police commissioners, and two-thirds of such moneys, together with the moneys received by said board from all sources whatever, and not provided to be paid into the "police life and health insurance fund," shall constitute a fund to be called the "contingent fund," which shall

Notice and return of arrests.

Police expenses a city charge.

Annual estimate for metropolitan police fund.

Police tax.

Expenses to be paid from police fund, except, etc.

Moneys how paid out.

Auditing of claims.

Contingent fund.

be paid by said board into the city treasury, and out of which fund shall be paid, so far as practicable, all incidental or extraordinary expenses incurred by the board, in the manner provided by section twenty-six hereof.

**Reports of
superintendent,
secretary
and board.**

SECTION 28. The superintendent of police shall make to the secretary of the board daily reports of such facts as may come to his knowledge from the patrolmen; and the secretary shall make to the board monthly reports in writing of the police force, with such statistics and suggestions as he may deem advisable for the enforcement of police government and discipline, and the board shall, on the first day of March in each year, report in writing the condition of the police to the city council.

**Exemptions
from certain
duties.**

SECTION 29. No person holding office under this act shall be liable to military or jury duty, or to arrest on civil process, or to service of subpoenas from civil courts, while actually on duty.

**Uniform and
badge.**

SECTION 30. Every officer and member of the police force, while on duty, shall wear a uniform, to be prescribed by the board of police commissioners, and shall at all times in public wear a badge of his office, to be furnished by the board.

Resignations.

SECTION 31. No officer or member of the police force, under penalty of forfeiting the pay which may be due him, shall withdraw or resign, unless he shall have given two weeks' notice thereof in writing to the superintendent of police.

**Duty of police
at elections.**

SECTION 32. The superintendent of police shall detail, on the day of any election in said city, one or more patrolmen, as he may deem necessary, to each election poll, to aid in the preservation of order, and the protection of voters and challengers; and such patrolmen shall be subject to the lawful orders of the judges of said election, given for the enforcement of law, and for the protection of the rights of electors and the preservation of the purity of the ballot.

**Duty of super-
intendent and
powers of
board upon
commission
of crime.**

SECTION 33. When a crime is committed in such city, whether the person accused or suspected flees from justice or not, the superintendent of police shall immediately report to the chief of detectives all the facts which may have come to his knowledge concerning the offense, or the accused or suspected person; and the board of police commissioners may, in its discretion, authorize any person belonging to the force to pursue and arrest such accused or suspected person, and return him to the proper criminal court.

**Non-partici-
pation of
board and
force in politi-
cal contests.**

SECTION 34. Any commissioner who, during the term of his office, accepts any other place of public trust or emolument, or who, during the same period, knowingly consents to his nomination for an office elective by the people, or fails publicly to decline the same within twenty days succeeding his nomination, shall be deemed thereby to have vacated his office as commissioner, and the governor shall appoint a successor. And no officer or member of the police force shall be a candidate for or hold any elective office, or shall be a delegate to or otherwise take part in any primary or other political convention or election, except to cast his vote. Any inter-

ference by any officer or member of the police force in elections or conventions for or against any political party or candidate, or the candidacy of any officer or member of the force for any elective office, shall require his dismissal from the force by the commissioners.

SECTION 35. That sections 1953, 1954, 1955, 1956, 1957, 1958, 1962, 1963, 1964, 1965, 1971, 1972, 1980 and 1981 of the Revised Statutes be and the same are hereby made applicable to cities of the second grade of the second class as though said sections were in this act repealed; that sections 1945, as amended April 19, 1881; 1998, as amended February 27, 1885; 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, as amended April 9, 1884; 2013, as amended April 9, 1884; 2014, as amended April 9, 1884; 2015, 2016, 2017, 2018, 2019, 2020 and 2021, as amended April 9, 1884, and 2022, as amended April 9, 1884, be and the same are hereby repealed, in so far as they may apply to cities of the second grade of the second class; that all acts and parts of acts inconsistent or in conflict with the provisions of this act be and the same are hereby repealed, in so far as they may apply to cities of the second grade of the second class; and that all ordinances of such cities of the second grade of the second class, heretofore adopted, which may be inconsistent, or in conflict with the provisions of this act, be and the same are hereby set aside, repealed and held for naught, in so far as the same are inconsistent or in conflict with the provisions of this act.

Repeals.

SECTION 36. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 8, 1887.

[House Bill No. 1071].

AN ACT

Authorizing the council of incorporated villages in this state to issue bonds to purchase a suitable site for normal school buildings [and] to erect and furnish said buildings, and to levy a tax to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any incorporated village in this state, wherein, at the time of the passage of this act, there exists a [private] corporation, not for profit, incorporated under the general corporation laws of this state, and the purpose for which said corporation is formed is to secure to its members and patrons the advantages of education in all

Wauseon authorized to erect and furnish normal school buildings for the use of "The Northwestern Normal and Collegiate Institute."

Issue of bonds.	<p>departments of learning and knowledge, especially in the branches usually comprehended in academic and university collegiate courses, though not excluding such primary instruction as is usually furnished in common and normal schools, may and is hereby authorized and empowered to issue the bonds of said village in the sum of not more than twenty thousand dollars, bearing interest at the rate of six per cent. per annum, payable annually, signed by the mayor and countersigned by the clerk of said village, and redeemable in equal annual installments for a period not to exceed twenty years from the date thereof, for the purpose of purchasing a suitable site for normal school buildings, erecting and furnishing said buildings, and providing means for the higher education of the youth of said village.</p>
Sale of bonds.	<p>SECTION 2. That said bonds shall be sold by the council of said village, or under its direction, and in no case shall they be sold for less than their par value.</p>
Size of bonds.	<p>SECTION 3. That said bonds shall be issued in sums of not less than two hundred nor more than two thousand dollars, as said council may deem best.</p>
Tax to pay said bonds.	<p>SECTION 4. That the council of said village is hereby authorized to levy a tax upon the taxable property of said village, sufficient to pay said bonds and the interest thereon, as the same may become due.</p>
Control and use of the proceeds.	<p>SECTION 5. That the moneys arising from the sale of said bonds, issued as aforesaid, shall be under the control of the council of said village, and shall be used for the purpose of purchasing a suitable site for erecting suitable buildings, and defraying such other expenses as may be necessary in establishing said school.</p>
Contract for erection of buildings.	<p>SECTION 6. As soon as the council of said village has purchased a suitable site, as aforesaid, it is hereby authorized and empowered to let to the lowest responsible bidder a contract for the erection of said buildings, as aforesaid, reserving the right to reject any and all bids.</p>
Plans, etc., for buildings; furniture.	<p>SECTION 7. That the plans and specifications of said buildings, and the furnishing of the same shall be such as are mutually agreed upon, by and between the trustees of the [private] corporation mentioned in the first section of this act and the council of said village, and such agreement shall be entered into before the letting of said contract.</p>
Title to and use of the property purchased under this act.	<p>SECTION 8. The title to and ownership of all lands, buildings or furniture purchased or erected under and by virtue of the provisions of this act, shall be and forever remain in said village; but the same shall be occupied and used by the corporation above referred to, beginning at such time and upon such terms and conditions as said corporation and the council of said village may agree upon; and upon the failure of such corporation to fully carry out the purposes stated in its articles of incorporation, or to fully comply with its said agreement with the council of said village, its right of occupancy in said lands and buildings and of the use of said furniture shall immediately cease and be forever forfeited, and shall revert to</p>
Forfeiture of the right to use the same.	

said village, and said lands, buildings and furniture shall thereafter be used and occupied for such purposes and in such manner as the council of said village may direct.

SECTION 9. During the period the said corporation above referred to shall occupy said lands and buildings, carry out the purposes named in its articles of incorporation, and comply with its said agreement with the council of said village, section 3726 of the Revised Statutes of Ohio shall be inoperative, and is hereby made inoperative as to said corporation, in so far as it requires said corporation to file with the secretary of state the schedule named in said section; but said section shall remain operative as to said corporation in so far as to vest in it all the rights, privileges and powers named in said section.

Sec. 3726 made
partially in-
operative.

SECTION 10. This act shall be in force on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 8, 1887.

[House Bill No. 709].

AN ACT

To amend section 6816 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 6816 of the Revised Statutes be amended [so as] to read as follows: Crimes

SEC. 6816. Whoever has carnal knowledge of a female person forcibly and against her will, or, being eighteen years of age, carnally knows and abuses a female child under fourteen years of age, with her consent, is guilty of rape. Rape.

SECTION 2. That original section 6816 is hereby repealed, and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 8, 1887.

[House Bill No. 837].

AN ACT

To amend section 2232 of the Revised Statutes of Ohio.

Eminent domain :

Purposes for which municipality may appropriate private property.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2232 of the Revised Statutes of Ohio be so amended as to read as follows :

SEC. 2232. Each city and village may appropriate, enter upon and hold real estate within its corporate limits for the following purposes, but no more shall be taken or appropriated than is reasonably necessary for the purpose to which it is to be applied :

1. For opening, widening, straightening and extending streets, alleys and avenues ; also for obtaining gravel or other proper material for the improvement of the same ; and for this purpose the right to appropriate shall not be limited to lands lying within the limits of the corporation.

2. For market space.

3. For buildings and structures required for the use of the fire department.

4. For public halls and necessary offices.

5. For prisons.

6. For infirmaries.

7. For work-houses.

8. For houses of refuge and correction.

9. For public hospitals.

10. For public parks ; and for this purpose the right to appropriate shall not be limited to lands lying within the limits of the corporation.

11. For gas works.

12. For water works ; and for this purpose the right to appropriate shall not be limited to lands lying within the limits of the corporation.

13. For school-house sites and grounds ; and for this purpose the board of education shall select the site and recommend the appropriation ; and for university sites and grounds, and for this purpose the board of directors of a university, whose property is exclusively owned, and whose directors are appointed by the municipal corporation, shall select the site and recommend the appropriation.

14. For public cemeteries ; for which purpose the right to appropriate shall not be limited to lands lying within the corporation. But no land shall be appropriated under this provision until the court is satisfied that suitable premises cannot be obtained by contract upon reasonable terms ; and no lands shall be appropriated upon which there may be a dwelling-house, orchard, or nursery, or any valuable mineral or other medicinal spring, or well actually yielding gas, oil, or salt water ; nor shall land be appropriated for such purpose within one hundred yards of any dwelling-house.

15. For public wharves and landings on navigable waters.

16. For levees to protect against floods ; and for this pur-

pose the corporation shall have power to appropriate, enter upon and take private property lying outside of the corporate limits, and may extend and strengthen its levees and embankments along a river or stream adjacent to the limits of the corporation, and may widen the channel of such river or stream.

Appropriation of private property by municipality.

17. For necessary bridges.

18. For constructing, opening, excavating, improving, deepening, enlarging, straightening and extending any canal, ship canal or water course, located in whole or in part within the limits of the corporation, which is not owned in whole or in part by the state, or by a company or individual authorized by law to make such improvement.

19. For sewers, drains and ditches; and for this purpose the corporation shall have power to appropriate, enter upon and take private property lying outside of the corporate limits.

20. For public urinals, water closets and privies.

21. For lighting any public use.

SECTION 2. That said original section 2232 be and the same is hereby repealed; and this act shall be in force and take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 8, 1887.

[House Bill No. 746].

AN ACT

To amend sections 2197, 2198 and 2204, and to repeal sections 2199, 2200, 2201, 2202 and 2203 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2197, 2198 and 2204 of the Revised Statutes be amended so as to read as follows:

Cleveland :

Sec. 2197. In cities of the second grade of the first class, the street commissioner shall, under the direction and supervision of the board of improvements, clean or cause to be cleaned, and keep in repair the ditches, avenues, streets, alleys and market places within such city.

Cleaning and repair of streets, ditches, market places, etc.

Sec. 2198. The board in such city is hereby authorized to purchase machinery, utensils, and all other appliances and appurtenances necessary to keep in repair and to clean the ditches, catch basins, avenues, streets, alleys and market places within such city; and said street commissioner is hereby authorized to employ any person or persons, necessary to clean and keep in repair the ditches, catch basins, avenues, streets, alleys and market places, within such city; and shall receive compensation for such labor, to be fixed by the board of improvements, at least once in two weeks.

Appliances for that purpose; their compensation.

Employees for that purpose; their compensation.

Estimate and
levy of tax for
street clean-
ing fund.

SEC. 2204. At the time of making annual estimates, it shall be the duty of the board of improvements of such city of the second grade of the first class, to make an estimate of the amount required for the payment of such work, machinery and utensils, which estimate shall be certified to the council, which shall, at the time of making the annual levy, provide a levy upon all the taxable property within the city for the amount so certified, which, when collected, shall be paid to the credit of a fund to be called the street cleaning fund; but nothing herein contained shall be so construed as to authorize an increase of the tax which such city is permitted to levy.

Repeals.

SECTION 2. Sections 2197, 2198 and 2203 of the Revised Statutes of Ohio, as amended April 7, 1882, and March 13, 1884, and original sections 2199, 2200, 2201, 2202 and 2204 of the Revised Statutes of Ohio, be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 8, 1887.

[House Bill No. 1076].

AN ACT

To appropriate money for the erection and maintenance of the Ohio Soldiers' and Sailors' Home.

Appropriation for Ohio
Soldiers' and
Sailors'
Home.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, not otherwise appropriated, the following sum, to-wit: for the erection, furnishing and maintenance of the Ohio soldiers' and sailors' home at Sandusky, Ohio, the sum of one hundred thousand dollars (\$100,000).

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 10, 1887.

[Senate Bill No. 346].

AN ACT

To amend section 4013 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4013 of the Revised Statutes of Ohio, as amended April 13, 1880, be amended [so as] to read as follows:

SEC. 4013. The schools of each district shall be free to all youth between six (6) and twenty-one (21) years of age, who are children, wards or apprentices of actual residents of the district, including children of proper age, who are, or may be, inmates of a county or district children's home located in any such school district, at the discretion of the board of education of the township in which said school district is located. Each board of education may admit other persons of like age upon such terms or upon payment of such tuition as it may prescribe; provided, that in all counties which do not contain a city of the first grade of the first class, in such case there shall be credited on the tuition so charged the amount of school tax in such district for the current school year which may be paid by such non-resident pupil or a parent thereof; and the several boards shall make such assignment of the youth of their respective districts to the schools established by them, as will, in their opinion, best promote the interests of education in their districts.

Public schools.

Who may be admitted to free.

Non-resident pupils.

Crediting of school tax on tuition.

Assignment of pupils.

SECTION 2. This act shall take effect from and after its passage; and said original section 4013, as amended April 13, 1880, is hereby repealed.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 11, 1887.

[Senate Bill No. 47].

AN ACT

To amend sections 5298 and 5301 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 5298 and 5301 of the Revised Statutes of Ohio be and the same are hereby amended so as to read as follows:

Civil procedure:

SEC. 5298. The party objecting to the decision must except at the time the decision is made, and time may be given to reduce the exception to writing, but not more than thirty days beyond the term at which the verdict of the jury is rendered, or the cause is decided when tried to the court.

When exceptions must be taken and reduced to writing.

When bill of exceptions must be presented for allowance.

SEC. 5301. When the decision is not entered on the record, or the grounds of objection do not sufficiently appear in the entry, or the exception is to the opinion of the court on a motion to direct a non-suit, to arrest the testimony from the jury, or for a new trial for misdirection by the court to the jury, or because the verdict, or, if a jury is waived, the finding of the court, is against the law or the evidence, or to the admission or rejection of evidence, the party excepting must reduce his exception to writing, and present it to the trial judge or judges for allowance, within thirty days from the end of the term at which the verdict is rendered, or the finding of the court is made.

SECTION 2. That said sections 5298 and 5301 of the Revised Statutes be and the same are hereby repealed.

SECTION 3. This act shall take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 11, 1887.

[Senate Bill No. 216].

AN ACT

To amend section 6946 of the Revised Statutes of Ohio, as amended May 2, 1885, (82 vol. O. L. 222).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 6946 of the Revised Statutes of Ohio, as amended May 2, 1885, be so amended as to read as follows:

intoxicating liquors not to be sold, nor houses of ill-fame kept, at certain places.

SEC. 6946. Whoever sells intoxicating liquors, or keeps a house of ill-fame, at or within twelve hundred yards of the administration or main central building of the Columbus asylum for the insane, Dayton asylum for the insane, or of the institution for feeble-minded youth, or the Ohio soldiers' and sailors' orphans' home, or within two miles of the boundary lines of the boys' industrial school south of Lancaster, Fairfield county, or within two miles of the place where any agricultural fair is being held, shall be fined not more than one hundred or less than twenty-five dollars, or imprisoned not more than thirty days, or both, and on conviction of the owner or keeper thereof, the place wherein such intoxicating liquors are sold, shall, by order of the court, be shut up and abated as a nuisance.

SECTION 2. That said original section 6946, as amended May 2, 1885, be and the same is hereby repealed.

SECTION 3. This act shall take effect on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 11, 1887.

[House Bill No. 1042].

AN ACT

To amend an act entitled an act "to authorize county commissioners of any county in which there is a city of the second class and third grade, to unite with soldiers' memorial associations in the erection of a monumental building and armory," passed January 26, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of any county, in which there is a city of the second class and third grade, be, and said board is hereby authorized and empowered to unite with any board of trustees of any soldiers' memorial association organized under the law, and whose principal office is in such city, in the erection of a building suitable for monumental or memorial building, as well as for an armory; such board of county commissioners are hereby further empowered to purchase, or lease real estate in such city suitable for a site for such building as aforesaid, from the board of trustees aforesaid, and erect on the site so purchased or leased as aforesaid, a building suitable for a soldiers' monumental building as well as an armory. The terms and conditions upon which said association shall hold and occupy the parts of any such building so erected by said board of commissioners, as well as the terms and conditions upon which the said association on the one part, and said board of commissioners, for armory purposes only, of the other part, shall, respectively, hold and occupy the building erected by both boards jointly, shall be fixed by a written lease or other contract, between the said two boards.

Certain counties authorized to unite with soldiers' memorial associations in erection of armories and memorial buildings.

Terms of joint occupancy.

SECTION 2. To meet such expense, the county commissioners of any such county may levy a tax in excess of the maximum allowed by law, but the total collectable for such purpose in any one year shall not exceed ten thousand dollars, and said commissioners are hereby further authorized and empowered to issue the bonds of the county for the purpose aforesaid.

Levy of tax.

SECTION 3. Said original act is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 11, 1887.

[Senate Bill No. 264].

AN ACT

To amend section 2269 of the Revised Statutes of Ohio, as amended March 27, 1884, (81 O. L. 86).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section twenty-two hundred and sixty-nine of the Revised Statutes of Ohio, as amended March 27, 1884, be amended so as to read as follows :

Rules govern-
ing levy of
special assess-
ments on real
estate.

SEC. 2269. In making special assessments according to valuation, the council shall be governed by the assessed value of the lots, if the land is sub-divided and the lots are numbered and recorded; but if the lots are not assessed for taxation, or if there is land not sub-divided into lots, the council shall fix the value of the lots or the value of the front of such land to the usual depth of lots by the average of two blocks, one of which shall be next adjoining on each side, and if there are no blocks so adjoining, the council shall fix the value of the lots or lands to be assessed so that it will be a fair average of the assessed value of other lots in the neighborhood; and if, in making a special assessment by the foot front, there is land bounding or abutting upon the improvement not sub-divided into lots, the council shall fix, in like manner, the front and value of such land to the usual depth of lots, so that it will be a fair average of the depth of lots in the neighborhood which shall be subject to such assessment; and this section shall be applicable to all special assessments provided for in this chapter, excepting assessments according to benefits.

SECTION 2. That said section twenty-two hundred and sixty-nine, as amended March 27, 1884, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 11, 1887.

[Senate Bill No. 333].

AN ACT

To amend section 7172 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7172 of the Revised Statutes be amended so as to read as follows:

Criminal procedure:

SEC. 7172. When a sheriff or other officer is charged with the execution of a warrant issued on an indictment for a misdemeanor, he may, during the vacation of the court from which the writ was issued, and also in term time of said court, when it is not in actual session, take the recognizance of the person so indicted, together with sufficient sureties, resident freeholders of said county, from which the writ issued, in a sum not less than fifty nor more than five hundred dollars, conditioned for the appearance of such person, if in vacation, on the first day of the next term of such court, if in term time of said court, on the first day thereof when such court will be in actual session.

Recognizance of person indicted for misdemeanor may be taken by officer.

SECTION 2. That original section 7172 be and the same is hereby repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 11, 1887.

[Senate Bill No. 438].

AN ACT

To authorize certain cities to build bridges and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any city of the second grade of the second class is hereby authorized to construct a wrought iron wagon bridge, and the necessary approaches thereto, across any stream flowing into such city from the west, at such points within such city as may be determined by the city council thereof; and for the purpose aforesaid, such city is authorized to issue the bonds thereof in the aggregate not to exceed the sum of twelve thousand dollars, payable at such times as the council of said city may determine, not to exceed twenty years; said bonds shall be of such denomination as the council may deem best, in any sum not in excess of the amount heretofore named, and at a rate of interest not exceeding five per cent. per annum, payable semi-annually. Said bonds shall not be sold for less than their par value, and the pro-

Dayton bridge bonds.

ceeds thereof, or as much thereof as shall be necessary, shall be applied to the purpose herein mentioned; said bonds shall be signed by the mayor and the clerk of said city, and be sealed with the seal of the corporation.

Levy of tax
for redemption
of bonds,
and interest.

SECTION 2. The council of said city is hereby authorized to levy an annual tax, not in excess of 5-10 of one mill on the general duplicate of said city in addition to the other taxes heretofore levied, or hereafter to be levied, for the redemption of said bonds and the interest thereon, until they are paid, and said bonds redeemed as the same may become due.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[Senate Bill No. 354].

AN ACT

Making appropriations to pay the principal and interest on the public debt, and interest on the irreducible debt, and expenses of the sinking fund commissioners.

Appropriation to pay principal and interest of public debt.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated from any money that may be in the treasury, or that may come into the treasury, belonging to the sinking fund, the following sums for the purposes herein named:

For the payment of the principal of the funded debt, due July 1, 1887, series of February 19, 1881, five hundred thousand dollars (\$500,000).

For the payment of interest on the funded debt, one hundred and twenty-eight thousand, four hundred and thirty-one dollars and ninety-two cents (\$128,431.92), or so much thereof as may be necessary to pay the interest falling due July 1, 1887, and January 1, 1888.

Irreducible debt.

For the interest on the irreducible debt of the state, which constitutes the school, ministerial indemnity fund, Ohio University and Ohio State University, two hundred and sixty-seven thousand, five hundred and sixty-two dollars and thirty-six cents (\$267,562.36), or so much thereof as may be necessary to pay said interest.

Expenses of sinking fund commissioners.

For the payment of the expenses of the commissioners of the sinking fund, including salary of clerk, fifteen hundred dollars (\$1,500).

For carpet and furniture, one hundred and twenty-four dollars and forty cents (\$124.40).

For expenses of the commissioners in paying the loan and interest, due July 1, 1887, and interest due January 1, 1888, seven hundred dollars (\$700).

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[Senate Bill No. 882].

AN ACT

To provide for the construction of trunk sewers in cities of the first grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That for the construction of trunk sewers in cities of the first grade of the first class, the common council thereof be and they are hereby required to levy, in addition to the taxes now authorized by law, annually, at the same time and in the same manner that other taxes are authorized to be levied, one mill on the dollar, of all the property of such cities subject to taxation, for and during each of the ten fiscal years next ensuing after the passage of this act.

Cincinnati
trunk sewers:
levy of tax.

SECTION 2. The money arising from said levy shall be placed in the city treasury and kept as a separate fund, to be known as the trunk sewer fund, and shall be expended only for the purpose of constructing trunk sewers for such cities, and in paying for rights of way for the same and the outlets thereof, which may be secured either by purchase or by appropriation, in accordance with the statutes providing for the appropriation of private property by municipal corporations and as hereinafter provided, and in paying the surplus over the assessments authorized by law of the costs of constructing the lateral and branch sewers; but any portion of said fund may be expended for the purpose aforesaid, in any part of such city, without regard to any division of the same into sewer districts, or for the purpose of purchasing or appropriating lands without the limits of such city for necessary outlets for sewers so as aforesaid constructed, and for continuing such sewers over the lands so appropriated; and no part of said fund shall ever be transferred to any other fund.

Trunk sewer
fund; ex-
penditures
from.

SECTION 3. No owner of property abutting on the line of any of said sewers shall be permitted to tap or to use the same in any manner for the drainage of private property until he shall have fully paid the assessment levied on all of his property, to pay the cost of constructing such sewer, and

Tapping of
trunk sewers
by private
persons.

Power of
board of pub-
lic affairs.

Assessment of
abutting
lands.

Lands not
subject to
assessment.

Owners of
such lands
may tap
sewers, when.

Levy of
assessments.

Completion
of old and
construction
of new
sewers.

Payment of
cost.

Limitation on
contracts for
expenditures.

Powers and
duties of the
board of pub-
lic affairs in
making such
improve-
ments.

complied with such other rules and regulations as may be provided by the board of public affairs as to tapping of sewers in such cities. And said board of public affairs may permit owners of property abutting or in the vicinity of the line of any of said sewers without the limits of such cities, to tap and use the same upon such conditions and upon such terms, which shall not be less than for the owners of property within such cities abutting on the line of such sewers, and subject to such rules as said board of public affairs shall prescribe. And the said board is hereby authorized and required to assess all lands abutting upon any such trunk sewer, whether the same be located in any street or other public way, or upon ground neither used nor intended to be used as a public way, to the same extent and in the same manner that the laws now provide for the assessment of the cost of the construction of sewers upon property abutting upon or benefited thereby, except in cases where the owners of lands upon the line of such sewers have dedicated a right of way through their lands for the purpose of such sewer, in which case their lands abutting such right of way so dedicated shall not be subject to assessment; but such owner of land abutting such right of way so dedicated by them, shall not be permitted to tap such sewers until he or they shall have fully paid into the treasury, to the credit of said trunk sewer fund, an amount per front foot of land so abutting on the line of said sewer equal to the amount assessed against other property along the line of such sewer, and have otherwise complied with the rules and regulations of the board of public affairs. The assessments herein provided for may or may not be levied by districts, as said board in its discretion may determine.

SECTION 4. Upon the passage of this act, the board of public affairs of such cities shall proceed at once to take the necessary steps to complete the trunk sewers now in process of construction, and contract for the construction of such additional sewers, commencing with such sewers as are most immediately necessary; the cost of the same over and above the amount of the assessment permitted by law to be paid out of the trunk sewer fund above provided for, as soon as the same is collected; provided, that the amount contracted to be paid under any such contract or contracts made in the anticipation of the collection of such levy, shall not in any one year exceed the sum of one hundred and sixty thousand dollars, in addition to the amount which the law authorizes to be assessed upon private property for the construction of such sewers.

SECTION 5. In making such improvements the board of public affairs shall be governed by the laws relating to the construction of sewers in such cities, and the condemnation and appropriation of private property therefor, except that the said board of public affairs shall have and exercise all the powers and perform all the duties of council in the prosecution of said work or furnishing materials therefor, the mak-

ing and levying assessments therefor, the enforcement and collection thereof, the certificates of any unpaid assessment to the county auditor to be placed upon the tax-list, and payment to contractors for the construction of such sewers; said board of public affairs shall have and exercise all the powers now vested in council, and shall be subject to all the restrictions and regulations now imposed upon said board of public affairs in cases where any improvement by sewerage has been ordered by council, except as herein altered or amended; it being the intention and meaning hereof that in all such improvements it shall not be necessary to have the action or concurrence of council in any of said proceedings.

SECTION 6. That an act entitled "an act to provide for the construction of trunk sewers in cities of the first grade of the first class," passed April 18, 1883, (80 O. L., 184), and an act entitled "an act to amend section 3 of an act entitled "an act to provide for the construction of trunk sewers in cities of the first grade of the first class," passed February 20, 1885, (82 O. L., 69), be and the same are hereby repealed.

Repeals.

SECTION 7. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[House Bill No. 812].

AN ACT

To amend section 769 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 769 of the Revised Statutes of Ohio be so amended as to read as follows:

Girls' Industrial Home:

SEC. 769. Whenever a resident citizen shall file with the probate judge of his county his affidavit, charging that a girl above the age of nine years and under the age of fifteen years, who resides in such county, has committed an offense, punishable by fine or imprisonment, other than imprisonment for life, or that she is leading a vicious or criminal life, it shall be the duty of such judge to fix a time not more than five days from the time such affidavit is filed for hearing the complaint set forth in such affidavit, and he shall forthwith issue a warrant to the sheriff of such county, or some other suitable person, commanding him to bring such girl before such judge at his office, at the time fixed for such hearing, and shall also

Girls charged with commission of offenses, etc., entitled to a hearing before commitment.

Issuing of
process by
probate court.

at the same time issue an order in writing, addressed to the father of such girl, if living and resident of such county, and if not living and so resident, then to her mother if living and so resident, and if there is no father or mother so resident, then to her guardian if so resident, and if not, then to the person with whom the girl resides, requiring such father, mother, guardian or other person to appear before such probate judge at such hearing, and said judge is authorized to continue such proceeding from day to day, and issue all necessary subpoenas for witnesses.

SECTION 2. That said original section 769 be and the same is hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[Senate Bill No. 383].

AN ACT

To authorize cities of the second grade of the second class to issue water-works improvement bonds for the purpose therein specified.

Dayton water
works im-
provement
bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in all cities of the second grade of the second class, in which water-works may now or hereafter be erected, in which it becomes necessary to dig additional wells and cisterns, and to lay additional mains for the supply of water for such city, it shall be lawful for the city council of such city to issue bonds therefor, entitled "water-works improvement bonds," in the sum of fifty thousand dollars, to be sold according to law; the money arising from the sale of such bonds to be paid into the city treasury of such city, and placed to the credit of the water-works improvement fund, to be expended for the purposes designated in this act and no other; said bonds shall be of such denomination as the city council of such city may deem best, in any sum not in excess of the amount heretofore named, and for a length of time not exceeding twenty years, and at a rate of interest not exceeding six per cent. per annum, payable annually; said bonds shall not be sold for less than their par value, and the proceeds thereof, together with such premiums as may be derived therefrom, shall be applied to no other purpose than the purposes herein mentioned; said bonds shall be signed by the mayor and clerk of such city, and be sealed with the seal of the corporation.

SECTION 2. The council of any such city is hereby authorized to levy an annual tax, not in excess of five-tenths of one mill, on the general duplicate of such city, in addition to the other taxes heretofore levied or hereafter to be levied, for the redemption of said bonds, and the payment of the interest thereon, until the said bonds and the interest thereon are paid and said bonds redeemed as the same may become due.

Levy of tax
for redemption
of bonds,
and interest.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[Senate Bill No. 431].

AN ACT

To provide for fair grounds in certain counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any county in this state, having, by the federal census of 1880, a population of twenty thousand, one hundred and twenty-nine (20,129) and having a county agricultural society, when such society desires to convey any grounds owned in whole or in part by such society to the board of county commissioners of such county, to enable such board to have and hold the same for the use and benefit of such county for any public purpose, or to sell and convey the same, and apply the proceeds of such sale towards the purchase and improvement of other and more suitable grounds for the use and benefit of such agricultural society, it shall be lawful for the board of directors of such county agricultural society to authorize the president and secretary of such society to execute and deliver a deed of conveyance for the grounds owned by such society in whole or in part, to the board of county commissioners of such county.

Conveyance
of fair
grounds to
Madison
county com-
missioners by
agricultural
society.

SECTION 2. That upon the execution and delivery of such deed, the board of commissioners of such county, if they deem said grounds insufficient for the purpose of holding a county fair, may purchase other sufficient and suitable grounds for the purpose, and provide for securing the money for the necessary improvement of the same for county agricultural fair grounds, but the amount of such purchase price and money for such improvements shall not exceed the sum of twelve thousand dollars.

Purchase and
improvement
of new
grounds.

Limitation
on expendi-
ture.

Levy of tax. SECTION 3. That to provide funds for such purchase and improvements, the board of county commissioners are hereby authorized and directed to levy a tax upon all the property in such county returned for taxation upon the duplicates for the years 1887, 1888, 1889, 1890 and 1891, or as soon as may be thereafter, the amount of which shall be fixed by said commissioners but shall not exceed two-tenths of one mill on the dollar for any of said years, which shall be collected and accounted for as other taxes; and the said board of county commissioners are hereby authorized to issue the bonds of said county, payable at such times and in such denominations as they may direct, bearing not more than six per cent. interest, payable annually, which bonds shall not exceed in the aggregate twelve thousand dollars, and may be sold as other county bonds.

Limitation on levy.

Issue of bonds.

Limitation on amount.

Control of making such improvement. SECTION 4. That the improvement of such grounds so purchased shall be made by and under the control of the board of directors of such agricultural society, and the auditor of such county shall issue his warrant for the payment thereof on the certificate of the president and secretary of such county agricultural society; and the title to the grounds so purchased shall be vested in the county commissioners for the use and benefit of the county, but the control of the grounds and the improvements thereon erected shall be vested absolutely in the board of directors of such society, and no change of name or other cause shall ever interfere in any manner with the control of the property or the management thereof, so long as a county agricultural society within such county is governed by the regulations of the Ohio state board of agriculture.

Title to grounds.

Use and control of grounds and improvements.

Repeal. SECTION 5. That an act entitled "an act to authorize the Madison county agricultural society to sell and convey certain lands," passed April 16, 1874, be and the same is hereby repealed.

SECTION 6. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[House Bill No. 826].

AN ACT

To amend sections 6861 and 6862 of the Revised Statutes of the State of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 6861 and 6862 of the Revised Statutes of Ohio be amended so as to read as follows:

SEC. 6861. That it shall be unlawful for any person or persons, without proper authority, to place any obstruction upon any railroad, or any street railway, or any cable railway, in this state, or displace, injure, or destroy anything appertaining thereto, or interfere with, remove, displace or disarrange any rail, cross-tie, switch, side-track, locomotive, car or train of cars, or other property appertaining to any such railroad, street railway or cable railway, or interfere with, remove, displace or disarrange any flag, lamp or other signal attached to or employed upon any railroad, street railway or cable railway, or upon any railroad car or train of cars, or upon any street railway car or cable railway car, locomotive, switch or other property appertaining to any such railroad, street railway or cable railway, or remove from, disarrange or destroy any lock, fastening, coupling or attachment on any track, car, switch, stand, tool-house, depot, or other property of any such railroad, street railway or cable railway. Any person violating any of the provisions of this section shall, upon conviction thereof, be fined not more than five hundred nor less than twenty-five dollars and imprisoned in the penitentiary not more than ten years or in the county jail not less than thirty days.

Crimes :

Unlawful
meddling
with railway
property.

Penalty.

SEC. 6862. Whoever wilfully throws any stone or other hard substance, or shoots any missile at any railroad car, train, locomotive or at any cable railway car, or street railway car, or at any steam vessel or water craft of any description, used for the purpose of carrying passengers or freight, or both, on any of the waters within or bordering on the state of Ohio, shall be fined not more than five hundred nor less than fifty dollars, and imprisoned in the penitentiary not more than three years or in the county jail not more than six months.

Throwing or
shooting at
trains or ves-
sels.

Penalty.

SECTION 2. That said section 6861 as amended April 9, A. D. 1885, and said section 6862, as amended April 10, 1884, be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[Senate Bill No. 275].

AN ACT

Supplementary to an act entitled "An act relating to cities of the first class having a population exceeding one hundred and fifty thousand inhabitants," passed May 4, 1889.

Sale of Cincinnati Southern railway :

Resolution of council.

Negotiation for sale.

Publication of offer to buy.

Notice to mayor.

Proclamation to electors.

Vote on question of sale.

Returns and canvass of vote.

Trustees authorized to make the sale in case a majority of electors so vote.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever a line of railway has been completed and leased under the act to which this is supplementary, and under the acts amendatory of and supplementary to such act, and the city council of the city owning said line of railway shall, by a resolution, passed by a majority of the members elected to each board thereof, declare it to be to the interests of said city that said line of railway shall be sold, it shall be the duty of the trustees of the sinking fund of said city to negotiate for a sale; and whenever said trustees of the sinking fund shall receive in writing from a responsible party, an offer to buy said line of railway at a price and upon terms of payment satisfactory to said trustees of the sinking fund, the written offer to buy shall be published twice a week for three consecutive weeks in not less than four newspapers, printed, published and of general circulation in such city, if there be so many, but not more than two of said newspapers shall be printed in the same language or be of the same politics; and in addition thereto such further publication and advertisement may be made as said trustees of the sinking fund may deem proper.

SECTION 2. Immediately upon making the first insertion of such advertisement as above required, said trustees of the sinking fund shall give notice in writing to the mayor of the city owning said line of railway; and the mayor of said city, within ten days after the receipt of such notice, is hereby authorized and required to issue his proclamation, which shall state the price and terms of payment of the proposed sale, and shall declare to the qualified electors of said city the time of holding an election, which shall be within twenty days from the date of such proclamation, at which election the question of making such sale shall be submitted to a vote of the qualified electors of said city; said vote shall be taken at the usual place of holding elections in each ward of said city, and the ballots cast at said election shall have printed or written thereon the words, "For the sale of the railroad—Yes," or, "For the sale of the railroad—No;" and such sale shall not be binding or take effect unless the majority of all the ballots cast at said election shall have written or printed thereon the words, "For the sale of the railroad—Yes." The returns of said election shall be made to the city clerk of said city, who shall canvass the same and report the vote to the common council of said city, and if a majority of the electors voting at such election shall have voted in favor of the making of the said sale at the price and upon the terms of payment proposed, the said trustees of the sinking fund are authorized to consummate such sale at the price and upon the terms

of payment contained in such offer, and also to arrange and fix all the other terms and conditions of said sale, and formally and finally to agree upon the same and to execute a contract therefor. The mayor of said city and the president of the board of trustees of said line of railway shall, on behalf of said city, execute and deliver all deeds and other instruments in writing necessary or proper fully to carry out said sale; and the comptroller of said city shall sign his name and affix the seal of said city, and the secretary of the board of trustees of said line of railway shall sign his name and affix the seal of said board of trustees to all deeds and writing in attestation thereof; provided, that only one election shall be held under the provisions of this act. If at any such election the proposed sale, as submitted, receives a majority of the votes cast, then the sale shall be carried into effect as above provided.

Contract.

Execution of conveyances.

Limitation on number of elections hereunder.

Trustees authorized to refund certain bonds in case of sale.

SECTION 3. To enable said trustees of the sinking fund to arrange the terms of the payment of the purchase money, and to enable them to carry out any such sale, they hereby are authorized to issue the registered and coupon consolidated sinking fund bonds of said city in such sums and denominations as they may find expedient or necessary in retiring and refunding the outstanding bonds of said city which are issued for the construction and completion of said line of railway, and for that purpose the said trustees of the sinking fund are authorized and empowered to execute, sell or exchange said bonds in such manner and form as said trustees may determine.

SECTION 4. That section 2729c of the Revised Statutes of Ohio, as passed January 29, 1885, (82 O. L., 10), be and the same is hereby repealed.

Repeal.

SECTION 5. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[Senate Bill No. 381].

AN ACT

To amend sections 2527 and 2552 of the Revised Statutes of Ohio.

Cemeteries: SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 2527 and 2552 be amended so as to read as follows:

**Sale of lots,
laying off and
embellishing
of grounds.**

Donations.

**Appointment
of managing
trustee.**

**Notice of ap-
pointment.**

**Bond of man-
aging trustee.**

SEC. 2527. The trustees shall have the entire charge and control of the receipts arising from the sale of lots, and of the laying off and embellishing the grounds. They may receive donations by bequest, devise, or deed of gift, or otherwise, or money, or other property; the principal or interest of which [is] to be used for the enlargement, improvement, embellishment, or care of the cemetery grounds generally, or for the embellishment, care or improvement of any particular part or parts, lot or lots therein, as the donor may direct, or as the trustees may from time to time determine if no direction is given. And they shall appoint one of their number to sell lots, receive payment therefor, direct the improvements, and make the expenditures, under such rules and orders as they shall prescribe, and to invest, manage and control all property received by donations and all surplus funds in their hands from any source whatever. Notice of such appointment shall, upon being made, be communicated to the council.

SEC. 2552. The council may require the trustee who may be authorized to receive and disburse the moneys arising from the sale of lots, or otherwise, and to invest, manage, and control the property and funds in the hands of said trustees, to enter into a bond to the corporation, with sufficient sureties, conditioned for the faithful performance of his duty, as such trustee, and account for all moneys by him received, and pay over to his successor all moneys or other property unexpended. And such bond shall be filed in the office of the corporation clerk.

SECTION 2. That said original sections 2527 and 2552 be and the same hereby are repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 360].

AN ACT

To amend section 3241 of the Revised Statutes of Ohio, as amended May 15, 1886, (83 O. L., 168).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3241 of the Revised Statutes of Ohio, as amended May 15, 1886, be amended so as to read as follows:

SEC. 3241. The subscribers of such articles of incorporation shall cause the same to be copied into a book which they shall provide, and which shall be the property of the corporation; and a person having the qualifications prescribed by the corporation, may become a member by subscribing his name to such copy; provided, that when the incorporators of a corporation, now or hereafter formed, are, or shall be members of a church, religious, secret or benevolent society, and have signed or shall sign articles for the purpose of enabling such church, religious, secret or benevolent society to become incorporated, any person who is or shall become a member of such church, religious, secret or benevolent society, in good standing, shall, by virtue of such membership, be a member of such corporation, and entitled to vote at all meetings of such corporation, for the election of officers or other purpose, anything in the preceding section to the contrary notwithstanding.

Membership
in corpora-
tion, not for
profit.

Religious,
secret and
benevolent
societies.

SECTION 2. That said section 3241, as amended May 15, 1886, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,

Speaker pro tem. of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 400.]

AN ACT

To amend section 4894 of the Revised Statutes of Ohio, as amended April 10, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4894 of the Revised Statutes of Ohio, as amended April 10, 1884, be so amended as to read as follows:

SEC. 4894. The trustees shall provide means for keeping in repair all such roads within their township, and for that purpose shall set off persons and districts; such persons shall perform their two days' labor as required by law, and also labor in commutation of taxes, the same to be worked out under the direction of such supervisors or such other suitable persons, as provided in sections forty-eight hundred and

Repair of im-
proved roads
in townships:

Trustees shall
set off persons
and districts
for repair of
roads.

Labor on
roads.

Improved
road fund.

Use of tools
owned by
township.

Transfer of
certain funds
to be used for
such repairs.

ninety-one and forty-eight hundred and ninety-two, and under the control and supervision of the trustees, and such supervisors or other suitable persons shall be authorized to give receipts therefor; and such trustees shall set off, from the common road fund of their township, such amount as to them shall seem equitable, to be an improved road fund, especially applicable to the care and improvement of such roads, and may also allow the use of any plows, scrapers, or other implements owned by the township for road purposes, and in any county in which said improved roads have been placed under the control of the county commissioners, any funds set apart or collected in any township for the repair of such roads, or any balance thereof remaining in any township treasury, may, by the township trustees, be transferred and used for the repair of any roads in the township, as said trustees may deem necessary.

SECTION 2. That section 4894, as amended April 10, 1884, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 330].

AN ACT

To amend section 7272 of the Revised Statutes of Ohio.

Criminal pro-
cedure:

Defendant's
peremptory
challenges.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 7272 of the Revised Statutes be amended so as to read as follows:

SEC. 7272. Every person indicted as aforesaid, and who pleads not guilty, shall be entitled to challenge sixteen of the jurors peremptorily.

SECTION 2. Said original section 7272 is hereby repealed.

SECTION 3. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill, No. 345].

AN ACT

Supplementary to an act supplementary to section 2293 of the Revised Statutes of Ohio, (O. L. 82, p. 156).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections be enacted as supplementary to the act entitled "an act supplementary to section 2293, Revised Statutes of Ohio," with sectional numbering, as herein provided:

Cincinnati:

SEC. 2293b. In cities of the first grade of the first class, having a street known as the "lower river road," the board of public affairs, or their successors of any such city, are hereby authorized to cause such street to be re-graded and improved with granite blocks, and the method of procedure in such cases shall be as follows:

Improvement of the lower river road.

First. The provisions of paragraphs one, two, three, four, five and six, under section 2293a, shall apply to said improvement and the mode of procedure in making the same.

Provisions applicable to said improvement.

Second. One half of the cost of any such improvement shall be paid by the city at large, upon the order of said board of public affairs, out of the fund herein provided for such improvements; said city shall be considered a property owner, as to any property belonging to the corporation abutting upon the said street so improved; provided, however, that the one-half of the cost of any such improvement, so paid by the city at large, shall be held to include all other costs of such improvement required to be paid by the corporation, including the cost as to intersections; one-half of the entire cost of such improvement shall be assessed upon the parcels of land abutting, or abutting upon the improvement in the same manner provided by law.

Cost of improvement by whom to be paid.

Third. In order to provide a fund for carrying on said improvements, and paying so much of the cost thereof, as is herein provided to be paid by the city at large, it shall be lawful for said board of public affairs to issue bonds in an amount not to exceed the sum of one hundred and twenty-five thousand dollars (\$125,000) in the name of said city, under the corporate seal thereof. Said bonds shall be made payable in not less than ten years, and not more than twenty years from the date of their issue, and bear interest at a rate not exceeding five per centum per annum; said bonds shall be signed by the president of said board, and attested by the city comptroller, and shall be secured by the pledge of the faith of the city, and a tax, which it shall be the duty of the council of said city annually to levy upon all taxable property of said city, and certify the same to the county auditor, upon a certificate to that effect from the said board of public affairs, as to the amount necessary to pay the interest thereon, and to provide a sinking fund for the final redemption of said bonds; said tax shall be in addition to the amount now authorized to be levied for municipal purposes.

Issue of bonds.

Levy of tax.

Sale of bonds.

Fourth. Said board of public affairs shall receive bids for said bonds after advertising the same for sale, once per week, for four consecutive weeks on the same day of the week, in some newspaper of general circulation in said city; and shall sell the same for not less than the par value thereof, with accrued interest to the highest bidder; the money arising from the sale of said bonds, shall be placed in a fund, to be called "the lower river road improvement fund;" a careful account of the condition of said fund shall be separately kept by the comptroller of said city.

Lower river
road im-
provement
fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,

Speaker pro tem. of the House of Representatives.

S. A. CONRAD,

President of the Senate,

Passed March 16, 1887.

[House Bill No. 509].

AN ACT

To provide a complete and correct record of the entries, plats and surveys of the Virginia military district for the auditor of state's office.

Certain state
officers may
contract with
Samuel Kend-
rick to cor-
rect, etc., the
records, etc.,
of the Vir-
ginia Military
lands.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the governor, auditor-of-state and attorney-general are hereby authorized to contract with Samuel Kendrick, late deputy-surveyor of the Virginia military district, for correcting, transcribing, binding and completing the records of the entries, plats and surveys, and other records of the lands contained in the Virginia military district of Ohio, now in the office of the auditor of state; and the sum of five thousand dollars is hereby appropriated out of any money not otherwise appropriated in the general revenue fund for that purpose; provided, however, that said officers herein designated to contract, shall be first satisfied that the said Kendrick has the means and power, as surveyor of the general land office at Chillicothe, Ohio, or otherwise, which shall make such corrections valid in law.

Appropriation.

Proviso.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,

Speaker pro tem. of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 436.]

AN ACT

To authorize municipal corporations to issue bonds to pay for turnpikes heretofore appropriated for street purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That all municipal corporations which have heretofore appropriated for street purposes the whole or any part of a turnpike lying within the limits of the corporation, and the six months, within which such corporations are authorized by law to determine whether they will take such turnpikes or not, have not expired, the council of such corporation, or if such corporation has a board of public affairs, then such board of public affairs shall have power to issue the bonds of such corporation, in an amount not to exceed twenty-six thousand dollars, to pay the cost and expense of such appropriation; said bonds to run for a period not to exceed twenty-five years, and bear interest at a rate not to exceed four per cent. per annum, payable semi-annually.

SECTION 2. That upon the passage of this act it shall be the duty of the solicitor of any such corporation to certify to the council or board of public affairs, as the case may be, the amount necessary to pay the cost and expense of any appropriation made as aforesaid; and it shall thereupon be the duty of such council or board of public affairs to issue bonds in the amounts so certified, not to exceed the amount above provided; said bonds shall be signed by the mayor of such corporation, and the clerk thereof, or comptroller, if there be one, or, if issued by a board of public affairs, then by the mayor, comptroller and president of such board of public affairs. Said bonds shall not be sold for less than their par value, and shall be secured by the pledge of the faith of such corporation, and a tax, which it shall be the duty of the council annually to levy upon all the taxable property of the corporation, in a sum sufficient to pay the interest thereon, and to provide a sinking fund for the final redemption of said bonds.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

Cincinnati:

Authorizing municipalities to issue bonds to pay for turnpikes heretofore appropriated.

Issue of bonds.

Sale of bonds.

Levy of tax.

[House Bill No. 869].

AN ACT

To amend section 4 of an act to suppress and prevent dissemination of epizootic and communicable diseases of animals in the state of Ohio, passed April 29, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4 of the above recited act be amended so as to read as follows:

Act to suppress dangerously contagious diseases of animals.

SEC. 4. That any person having in his possession or under his care, any animal which he knows, or has reason to believe, is affected with a dangerously contagious or infectious disease, and does not, without unnecessary delay, make known the same to said board, or to some member thereof, or to the sheriff or constable of the proper county, to be by him communicated to said board; or any person or corporation who shall bring into this state, or sell or dispose of any animal, knowing the same to be affected as aforesaid, or any animal having been exposed to such contagion, within three months of such exposure, or shall move the animal so diseased or exposed from the quarantine to which it was ordered by the board of commissioners, or shall move any animal to or from any district in this state declared to be infected with such contagious disease, or shall bring into this state any animal of the kind diseased from any district outside of the state that may at any time be legally declared to be affected with such disease, without the consent of said board, except under such conditions as are or may be prescribed by said board, shall, upon conviction of either of the aforesaid offenses, be fined in any sum not exceeding five hundred dollars. And all proper expense incurred in the quarantining of animals under the provisions of this act, shall be paid by the owners thereof, and if the same is refused, after demand made by order of the commissioners, an action may be brought to recover the same with costs of suit, which action may be in the name of the state of Ohio, for the use of the board of live stock commissioners. It shall be the duty of all sheriffs and constables to execute within their several counties all lawful orders of the said commissioners.

Expenses of quarantining such animals.

Duty of sheriffs and constables.

SECTION 2. Original section 4 of the original act is hereby repealed; provided, such repeal shall not affect any proceedings had or now pending thereunder.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 1068].

AN ACT

To provide for street improvements in certain villages.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in incorporated villages having a population at the last federal censuses of not less than 4040, nor more than 4045, and incorporated villages that may hereafter at any federal census have a population of not less than 4040, nor more than 4045, a special assessment may be made without the written consent of a majority of the owners of adjacent property, to be charged against said property as provided in section 2267 of the Revised Statutes of Ohio, whenever in the opinion of two-thirds of the council it becomes necessary to bring to the established grade a portion not exceeding six hundred (600) feet in length of any street, the balance of which shall already have been graded, provided the proceedings shall be in all other respects the same as is now required by statute.

Improvement
of street in
Ashtabula.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 748].

AN ACT

To amend section 6902 of the Revised Statutes in regard to conveying into the penitentiary anything that will aid in the escape of prisoners.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6902 of the Revised Statutes be amended so as to read as follows:

Crimes:

SEC. 6902. Whoever conveys, or attempts to convey into the penitentiary or a jail, or any other place of confinement, anything useful to effect the escape of any prisoner lawfully detained therein, and with intent thereby to facilitate the escape of such prisoner, whether an escape be effected, or attempted, or not, shall, if such prisoner be detained for felony, be imprisoned in the penitentiary not more than three nor less than two years, or, if detained for a misdemeanor, be fined not more than five hundred nor less than fifty dollars, or imprisoned not more than three months, or both; and whoever conveys, or attempts to convey, into the penitentiary

Conveying
into prison
things with
intent to aid
an escape.

Conveying
letters, etc.,
into or from
a prison con-
trary to rules.

or a jail, any letter or other missive, (contrary to the rules of the prison), which is intended for any prisoner lawfully confined therein, or whoever conveys from within the enclosure to the outside of the penitentiary or jail, any letter or other missive, (contrary to the rules of the prison), written or given by any prisoner lawfully detained therein, unless the warden of the penitentiary, or the sheriff having charge of such jail, has given his consent in writing in each and every case, shall be deemed guilty of a misdemeanor, and fined not more than one hundred dollars nor less than twenty-five dollars, or imprisoned not more than ninety days, or both.

SECTION 2. That section 6902 be and is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill, No. 453].

AN ACT

To authorize boards of education in cities of the second grade of the first class to levy a tax for certain purposes therein specified.

Cleveland:
Providing for
the manual
training of
school chil-
dren in pub-
lic or private
schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That boards of education in cities of the second grade of the first class may annually levy on each dollar valuation of a taxable property, 1-5 of one mill additional to that now allowed; the proceeds of said levy to be applied toward providing manual and domestic training for the children of the schools of said city, and said board may expend such part of said proceeds as it may deem expedient in providing tuition for such children in any manual training school that has been or may be founded in said city; provided, that at each annual election the corporation controlling said school shall choose as directors, at least six persons, who shall be named by such board of education, and shall also choose as a director the superintendent of the public schools.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 961].

AN ACT

To amend sections 5189a, 5189b and 5189c of an act entitled "an act supplementary to title one, division three, chapter two, subdivision one of the Revised Statutes of Ohio," passed March 29, 1881, (O. L., vol. 78, p. 95).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 5189a, as enacted March 29, 1881, (78 v. 95), 5189b, as amended April 15, 1881, (78 v. 134), and 5189c, as enacted March 29, 1881, (78 v. 95), be so amended as to read as follows:

Hamilton,
Cuyahoga
and Franklin
county juries:

SEC. 5189a. The county commissioners of each county having a city of the first or second grade of the first class, or the first grade of the second class, shall provide and place in the custody of the clerk of such county a wheel so constructed and arranged that by turning the same the pieces of paper hereinafter mentioned may be thoroughly mixed, and that the names upon such pieces of paper can not be read or seen until withdrawn from such wheel.

Jury wheel.

SEC. 5189b. In any county containing a city of the first grade of the first class, or the first grade of the second class, before the second Monday of May of each year, the judges of the court of common pleas and of the superior court in any county containing a city of the first class, in joint session, and the judges of the court of common pleas in any county containing a city of the first grade of the second class, shall appoint three electors of such county, no one of whom shall be an attorney-at-law, to be commissioners of juries for such county; and a record of such appointment shall be made upon the journal of each of said courts. Such commissioners shall, before entering upon the discharge of their duties, appear in said court of common pleas, and take an oath of office, as follows:

Commission-
ers of juries
in Hamilton
and Franklin
counties.

Appointment
of.

"I do solemnly swear (*or affirm*) that I will honestly and faithfully discharge the duties of commissioner of juries without fear or favor, and that I will consent to the selection of no person as juror whom I have been solicited to name as juror, or whom I believe to be unfit for that position, or likely to render a partial verdict in any cause in which he may be called as juror. And this I do as I shall answer unto God," (*or*, "*and this I do under the pains and penalties of perjury*")."

Oath of.

On the second Monday of May, in each year, such commissioners, or in any county containing a city of the second grade of the first class, the persons then respectively holding the office of clerk of the court of common pleas, county treasurer and county auditor, shall meet in the office of the auditor of such county, at ten o'clock in the forenoon, and shall there select such number of judicious and discreet persons, having the qualifications of electors, of such county, as the court may direct, to be selected as nearly as may be from the several wards and townships in proportion to their respective population; but no person shall be so selected who shall not

Selection of
jurors in the
three counties
above named.

be, in the judgment of all of said commissioners, or said officers, competent in every respect to serve as a juror; that after said commissioners or said officers shall have first ascertained said wheel to be entirely empty, the names of the persons so selected, as aforesaid, shall be written by the county clerk on separate pieces of paper, which shall be put into said wheel, and securely locked therein in the presence of said commissioners, or said officers; and said commissioners, or said officers, shall also, at the same time, make and sign a certificate containing all of said names, which they shall certify to be the names of the persons selected at the time and place aforesaid, to serve as jurors for the ensuing year, and that they are the same names as those placed in said wheel, which said certificate shall be filed with said clerk. Said wheel shall be securely locked at all times, except when, by order of court, it shall be necessary to put names into it, or to draw them from it, in the manner herein provided; and said clerk shall be the custodian of said wheel and key. And if any person shall unlock or open said wheel, except by order of court, he shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not more than one thousand dollars, nor less than five hundred dollars, and be imprisoned in the county jail not more than one year, nor less than three months. If either of the commissioners, or the officers mentioned in this section of this act, shall be sick or absent from the county, any judge of the court of common pleas may appoint some judicious and disinterested person to take the place of such commissioner or officer, in making the selection herein provided for; whenever it shall become necessary, said commissioners, or said officers, shall meet at such time and place as the court of common pleas may appoint, and shall there select such number of persons as the said court may, by its order direct; and the names of such persons shall be selected, written, and deposited in said wheel, and certified to as hereinbefore specified. But nothing herein contained shall abridge the right of any party to a struck jury as provided by law.

Certificate of persons selected.

Custodian of wheel and key.

Penalty for unlawfully opening the wheel.

Duty of court when commissioner or officer is sick or absent.

Meetings of commissioners for selection of jurors.

Struck juries.

Influencing commissioners in selection of jurors; penalty.

SEC. 5189c. Whoever attempts, by request, hint or suggestion, to influence such commissioners, or such officers, or any of them, to select, or not to select himself, or any other person or persons as aforesaid, shall be fined not more than one hundred dollars, or imprisoned in the county jail not more than twenty days, or both.

SECTION 2. That sections 5189a, as enacted March 29, 1881, (78 v. 95), 5189b, as amended April 15, 1881, (78 v. 134), and 5189c, as enacted March 29, 1881, (78 v. 95), are repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 282].

AN ACT

Supplementary to section 2559 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 2559 of the Revised Statutes, with sectional numbering as herein provided :

SEC. 2559a. In cities of the first grade of the first class, the board of public affairs of such cities may, by resolution, declare the necessity for the erection, completion and furnishing of a new city hall for any such city, to be used for the public offices of the corporation, and such public and other purposes as the council may authorize; and upon the passage of such resolution, the same shall be certified by said board to the superior court of such city, and if there be no superior court in such city, to the court of common pleas of the county in which such city is situated; and thereupon it shall be the duty of such superior court or court of common pleas, as the case may be, to appoint a board of trustees, composed of four citizens of such city, not more than two of whom shall be from the same political party, to erect, complete and furnish a new city hall in such city; and upon the appointment, as aforesaid, of said trustees, all power to erect, complete and furnish a city hall for such city, shall devolve upon and be exercised by said board, and in exercising such power, and carrying out the object of their appointment, said board shall be governed by the following provisions :

1. Said board shall be known as the "board of city hall trustees." They shall receive as compensation for their services, twelve hundred dollars (\$1,200) per annum, each, which, together with their necessary expenses in attending to their duties, shall be paid out of the fund hereinafter created for erecting and completing such city hall. All vacancies in the office of trustee shall be filled in the same manner, from the same political party as the original appointment.

2. Said trustees shall appoint from their number a chairman, and shall hold regular meetings at such times and places as they may agree upon, and special meetings under such regulations as they may prescribe, and shall cause to be kept a full record of their proceedings.

3. Said trustees shall have power to appoint a clerk, an architect, a superintendent and other necessary employes; fix their compensation, and adopt a suitable plan for such city hall, and make all contracts for erecting, completing and furnishing the same; and no contract which they enter into, or alteration or modification thereof shall be valid, until assented to at a regular or special meeting, and concurred in by a majority of all the members, and such assent entered on the minutes of their proceedings. And it shall be the duty of such trustees, in securing the most suitable plan for such city

Cincinnati
city hall :Resolution of
board of public
affairs de-
claring neces-
sity for such
hall.Same to be
certified to
court, etc.Appointment
of board of
trustees.Their general
powers.Provisions
governing.Title of board;
their compen-
sation.

Vacancies.

Chairman ;
meetings ;
record of pro-
ceedings.Employes of
board ; com-
pensation.Plans and
contracts for
hall.Advertising
for plans.

- hall, to advertise for not less than four consecutive weeks, in such newspapers as they shall deem proper, both in and outside of such city, for plans of such city hall, and shall allow full and fair competition among all architects who shall desire to submit plans for such city hall; and in order to secure competition in the submission of plans, they may offer as a reward for each of the five best plans submitted, a sum not to exceed five hundred dollars (\$500), and may, in their discretion, pay to the party submitting the plan which is by them accepted, a sum not to exceed fifteen hundred [dollars] (\$1,500), or employ such person as architect in the erection of such building.
- Reward for best plans.**
- Architect.**
4. No money shall be expended on account of any city hall unless first authorized by said trustees, and upon warrants signed by their chairman and clerk, and upon the comptroller of such city, to be paid by the treasurer of such city upon the warrant of such comptroller, out of the fund hereinafter provided; and no trustee or person holding an appointment from said board, nor any officer or employe of the corporation, shall be interested, directly or indirectly, in any contract concerning such city hall.
- Moneys, how paid out.**
- Employees not to be interested in contracts.**
5. Said trustees shall, before entering into any contract in respect to such city hall, cause plans and specifications, detailed drawings and forms of bids to be prepared; and when adopted by them they may, in their discretion, cause the plans and drawings to be lithographed, and the specifications and forms of bids, contracts and bonds to be prepared, and have the same printed for distribution among the bidders.
- Lithographing of plans; printing of forms of bids, etc.**
6. All contracts shall be made in writing, in the name of such city, and signed by the chairman and clerk of said board, and by the contractor. When it becomes necessary, in the opinion of said board, in the prosecution of the work, to make alterations or modifications in the contract, such alterations or modifications shall only be made by order of the board, and such order shall be of no effect until the price to be paid for the work or materials under such altered or modified contract has been agreed upon in writing, and signed by the contractor and all the members of said board; and no contractor shall be allowed or recover anything for work or materials caused by any alteration or modification, unless an order is made or agreement signed, as aforesaid; nor shall he in any case be allowed to recover more for such work or materials than said agreed price; and if when the board has ordered an alteration or modification of a contract, the contractor and the board cannot agree upon the price to be paid for work or materials under such altered or modified contract, they shall submit the matter to arbitration; the board choosing one arbitrator and the contractor one, and these two a third; and the award of such arbitrators, or a majority of them, as to the price to be paid, shall be made in writing, and entered on the minutes of the board, and when so entered shall be binding on both parties.
- Contracts and contractors.**
- Arbitration of disputed accounts.**

7. If a contract, agreement or order, made or authorized by said board, be found to violate any of the provisions of this act, it shall at once become void and of no effect; and no money shall be paid or recovered for services rendered or materials furnished thereunder.

Void contracts.

8. Said board shall not enter into any contract for work in the erection and completion of such city hall, without first causing fifteen days' notice to be given in one or more newspapers of general circulation in such city, that sealed proposals will be received for doing the work or furnishing the materials; provided, that said board may procure plans thereafter in the manner above indicated, and shall not be required to advertise for bids for making or printing the drawings, specifications and form of bids, contracts and bonds, nor for removing or disposing of any old building that it may be necessary to remove or dispose of.

Advertising for proposals.

9. Said board, in furnishing such city hall, may make contracts without competitive bidding if the board shall deem it expedient; and in case bids are called for for articles necessary for furnishing the whole or any part of such city hall, such advertisement shall be had as the board may think proper. And in all cases of competitive bidding, whether in the erection and completion, or furnishing of such city hall, no bid shall be received or considered by the board, which covers a patented material, process or device, until the person who owns or controls or has a contract for the exclusive use of such patented material, process or device, has entered into an agreement with the board, for the benefit of all bidders, as to the lowest price for which he himself will furnish, or which he will furnish to all bidders, such patented material, process or device.

Contracts for furnishing.

Patented materials, etc.

10. All bids shall be enclosed in a sealed envelope, and deposited with the clerk of said board; and such sealed envelope shall have endorsed thereon the nature of the same, and the name of the bidder; and all bids shall be opened at a regular meeting of the board, and at an hour to be indicated in said notice. Each bid shall be accompanied with a bond, signed by sufficient sureties, for the acceptance of the contract, if awarded by the board; or the bidder may deposit with the board in lieu of such bond, a certified check, or cash, in such sum as the board shall indicate; and in case of refusal by the bidder to enter into a contract according to his bid, within such reasonable time as the board may determine, said bond shall be put in suit, and the amount collected paid into the fund hereinafter provided; or if [a] check or cash is deposited, the amount shall be immediately paid into such fund.

Making and opening of bids.

Bond.

Non-compliance with bids.

11. Said board shall enter into contracts with the lowest and best bidder, upon his giving bond to such city, with sureties as the board shall approve, that he will perform the work and furnish materials in accordance with his contract, and that the sureties agree in advance to such modifications and alterations as may be made by the board and the contractor, within the limits of the penal sum mentioned in the

With whom board shall contract.

Letting of
work in
whole or in
parts.

Issue of bonds
by board of
public affairs.

Levy of tax.

Sale of bonds.

City hall
fund.

bond; and on failure of such bidder within a reasonable time, to be fixed by the board, to enter into bond with the sureties before provided, a contract may be made with the next lowest and best bidder, and so on, until a contract is effected with a contractor giving bond as aforesaid; provided, that the board may let the work in whole or in parts, and may receive bids for labor and material separately, as they may deem best, and may reject any and all bids.

12. To provide a fund to pay the cost and expense of the erection, completion and furnishing of any city hall, under the provisions of this act, the board of public affairs of any such city shall, forthwith, upon receiving orders from said board of trustees, certified by its chairman and clerk, and from time to time and as often as said board of trustees think necessary, issue the bonds of such city, to an amount not to exceed in the aggregate seven hundred thousand dollars (\$700,000), for the erection and completion of such city hall. Said bonds shall be made payable at such time, and shall bear interest at such rate, not to exceed four per centum per annum, as said board of public affairs shall determine; said bonds shall be signed by the president of said board of public affairs, and the mayor of such city, and be attested by the comptroller of such city, and shall be secured by the pledge of the faith of such city, and a tax, which it shall be the duty of the council of such city annually to levy upon the taxable property of such city, and certify the same to the county auditor, upon a certificate to that effect from the trustees of the sinking fund of such city, as to the amount necessary to pay the interest thereon, and to provide a sinking fund for the final redemption of said bonds. Said tax shall be in addition to the amount now authorized to be levied for municipal purposes.

13. Said board of public affairs shall receive bids for said bonds from time to time, as they may receive orders from said board of trustees to issue the same, after advertising the same for sale once per week for four consecutive weeks, on the same day of the week, in some newspaper of general circulation in such city, and shall sell the same for not less than their par value, with accrued interest, to the highest bidder. The money arising from the sale of said bonds shall be placed in the city treasury, in a fund to be called the "city hall fund," and all warrants drawn upon the comptroller for payment out of said fund, shall designate on their face "for erection and completion," or "for furnishing," according as they are drawn for the one purpose or the other, and a careful account of the condition of said fund shall be separately kept by the comptroller of said city. And if upon the completion of any work under the provisions of this act, an unexpended balance of the fund shall remain in the city treasury, such balance shall be immediately turned over to the trustees of the sinking fund of such city, and applied by them to the sinking fund for the final redemption of the bonds issued under the provisions of this act.

14. Said board of trustees, in carrying out the object and purposes of this act, shall have full power to take possession and control of any property now used for a like purpose or in connection therewith, by any such city, and remove therefrom any old building standing thereon; and it shall be the duty of the board of public affairs of any such city, immediately on receiving notice from said board of its intention to commence work, to provide temporary quarters for the city officers, and they are hereby empowered to make leases for that purpose; and until the next semi-annual appropriation is made, the city council shall provide for the payment of rent for such temporary quarters, by appropriations from the general fund of such city.

Removal of
present build-
ings.

Temporary
quarters for
city officers.

15. Said board of trustees shall have power to appropriate, enter upon and condemn for public use, for enlarging any grounds already used by any such city for city hall purposes, and in connection therewith, any private property which shall lie adjoining to and separated by a street or alley more than thirty feet in width from any property already used as aforesaid, or in connection therewith; and when said board shall determine to appropriate property for such use, a resolution to that effect shall be passed by the board, and entered upon its minutes, declaring the intention to appropriate such property and the necessity therefor, with a pertinent description of the property to be appropriated, which resolution shall be certified to the solicitor of such city, whose duty it shall then be to apply in writing in the name of such city, to the court of common pleas of the county, or a judge thereof in vacation, or to the probate court of the county, for the impaneling of a jury to assess the compensation to be allowed the owners of property appropriated, in the manner provided in chapter 3, title XII, division 7 of the Revised Statutes, for appropriating private property to the use of municipal corporations; and all the proceedings hereunder, except as herein otherwise provided, shall be governed by the provisions of said chapter 3, title XII, division 7; provided, that if such proceedings are commenced in the probate court of the county, neither party shall have the right of appeal, but either party may institute proceedings in error, as provided by law. And the amount of compensation adjudged to any owner or owners, together with the cost and expense of such proceedings, shall be paid out of the fund hereinbefore provided for the erection and completion of such city hall.

Appropriation of private
property.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD.
President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 464].

AN ACT

To amend an act entitled an act to amend sections 1, 2 and 3 of an act entitled an act to provide for the relief of Union soldiers, sailors and marines, and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors, and marines, passed March 4, 1887, and to amend section 4 of an act passed May 19, 1886, (O. L. v. 83, p. 232).

Levy of tax
for relief of
indigent sol-
diers, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of the several counties of this state are hereby authorized to levy, in addition to the taxes now levied by law, a tax not exceeding three-tenths of one mill upon the taxable property of their respective counties, to be levied and collected as now provided by law for the assessment and collection of taxes, for the purpose of creating a fund for the relief of honorably discharged indigent Union soldiers, sailors and marines, and the indigent wives, widows and minor children of such indigent or deceased Union soldiers, sailors or marines, to be disbursed as hereinafter provided.

Report of
township
trustees and
councilmen
to commis-
sioners.

SECTION 2. It is hereby made the duty of the board of trustees of the several townships in this state and the councilmen of wards in cities, on the first Monday of May in each year, to make a list of the names of all the resident indigent Union soldiers, sailors and marines, or the indigent wives, widows or minor children of the same, requiring aid and entitled to relief under the provisions of this law, and shall place such list in the hands of one of their number who shall meet with the soldiers' relief commission, hereinafter provided, at the office of the county commissioners on the last Monday in May in each year, and at such other times as may be necessary to aid said soldiers' relief commission in determining the probable amount necessary for the aid and relief of such indigent persons aforesaid, for the ensuing year, together with an amount sufficient to furnish relief to any honorably discharged indigent soldier, sailor, marine, or indigent wife, widow or minor child of the same, living within the county, whose name may not be found on said list, whose right to such relief under this act shall be established to the satisfaction of such commission; such commission, after determining the probable amount necessary for the purpose aforesaid, shall certify the same to the county commissioners of their respective counties; and at their June session the county commissioners of the several counties shall make such levies as may be necessary to raise the required relief, not exceeding said three-tenths of a mill.

Determina-
tion of
amount nec-
essary for re-
lief, etc.

Certifying
same to com-
missioners.

Date and
amount of
levy.

Soldiers relief
commissions.

SECTION 3. The judge of the court of common pleas in each county of this state in which any of the township trustees or councilmen have made return of honorably discharged indigent soldiers, sailors or marines, or indigent wives, widows or orphan children, as provided in section 2 of this act, shall, on or before the first Monday of October, after such report is

made, appoint three persons, residents of such county, at least two of whom shall be honorably discharged Union soldiers, one to serve three years, one to serve two years, one to serve one year from date of appointment, and each year thereafter one person to serve for three years. Such persons so appointed, when organized by the selection of one of their number as chairman, and one as secretary, shall be designated and known as "the soldiers' relief commission." In the event of [a] vacancy in said commission occurring from any cause, the judge of the common pleas court shall fill the vacancy for the unexpired term. Provided, however, that nothing in this act shall be construed as effecting in any way the soldiers' relief commission heretofore appointed under the original section 3 of this act.

Vacancies;
existing relief
commissions.

SECTION. 4. The soldiers' relief commission, together with a trustee from each township and a councilman from each ward as aforesaid selected, shall meet at the office of the county commissioners on the first Monday of December of each year, and at such other times as may be necessary, and carefully examine the list of those reported as needing aid under the provisions of this act; and being satisfied that those so reported are in need of assistance, and entitled thereto under the provisions of this act, shall fix the amount to be paid per month in each case to person or family. When such list is completed, said commission shall certify the same to the auditor of their respective counties, who shall, within ten days, transmit to the township clerks in his county, a list of the names of the persons in the respective townships to whom relief has been awarded, and the amount thereof; whereupon the auditor, on the first day of each month, after said fund is ready for distribution, shall issue his warrant upon the treasurer of the county, for the amount awarded to each township, to the treasurer of each township, who shall disburse the same upon the order of the township clerk to the persons named in the list furnished him as aforesaid, taking receipts therefor; provided, however, that when said commission is satisfied that any person entitled to relief under this act will not properly expend the amount allowed, it may appoint a suitable person to draw out and expend the same in such manner as said commission may direct; and provided further, that said commission, at any meeting, may decrease or discontinue any amount heretofore awarded.

Determina-
tion of
amounts to
be paid each
person or
family.

Amounts
how and to
whom paid.

Increase or
reduction of
amounts.

SECTION 5. That the said act passed March 4, 1887, and section 4 of an act passed May 19, 1886, (O. L. v. 83, p. 232,) be and the same are hereby repealed; and that this act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 380].

AN ACT

To create and perpetuate a board of trustees of the firemen's pension fund; to provide and distribute such fund for the pensioning of disabled firemen, and the widows and minor children and dependent mothers or fathers of deceased firemen, in cities of the third grade of the first class and of the third grade of the second class.

Board of trustees of the firemen's pension fund in certain cities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the persons, who, from time to time, compose the board of fire commissioners, or such other board or committee of the city council of any city of the third grade of the second class, or the third grade of the first class, having control or management of the fire department of such city, and three other persons, members of the fire department therein, elected as hereinafter provided, shall constitute and be the trustees for the distribution of the pension fund now existing or hereafter provided, and shall be called "the board of trustees of the firemen's pension fund."

Election of three trustees.

SECTION 2. The three persons to be elected as such trustees shall, together with three other persons, also members of the said fire department, be nominated for such office of trustee in a convention to be composed of one delegate from each engine, chemical engine, fire boat, hook and ladder or hose company, fire alarm telegraph company and from the general office belonging to the fire department of any such city, and called by the chief of such fire department, and convened at least two weeks prior to the election of such three trustees. That such election shall be held in the respective houses or headquarters of such engine, chemical engine, fire boat, hook and ladder or hose company, telegraph department or general offices, and be by ballot cast by the members of the said fire department between the hours of nine o'clock in the forenoon and six o'clock in the afternoon, on the third Tuesday of January, in each and every year hereafter, except the first election, which shall be held within thirty days after and by virtue of the passage of this act. That every such member shall be entitled to cast only one ballot. That no ballot shall contain the names of more than three persons, and the persons receiving the highest number of votes shall be declared elected as such trustees, and hold their office until their successors are duly elected. That the captain or officer in command of any such company, on the day of and immediately after holding such election, shall canvass, count, and certify in writing the number of ballots cast and the vote received by each candidate for the office of trustee. After signing such certificate said officer or captain in command shall at once address and deliver, or mail the same to the city clerk of such city; that the mayor, city clerk and chief of the fire department shall together, within three days after the receipt of such certificates by said secretary, open the same and ascertain and determine the total number of votes so cast at said

Place of election.

Time.

Ballots.

Count and canvass.

Return.

Declaring result.

election for the different persons for the office of trustee as returned by said captain or officer in command, and under the respective hands of such mayor and city clerk, issue certificates of their election to the three persons elected as such trustees. In case of a tie vote being received by any two persons for the office of said trustee, such tie vote shall be decided by casting lots, or in any other way which may be agreed upon by and between the persons for whom such tie vote was cast. No election shall be set aside for want of formality in balloting by such members, or certifying or remitting the returns of any such election by said captain or officer in charge.

Certificates.

Tie vote.

Formality not required.

SECTION 3. Said board shall be organized by the election of a president and secretary. The secretary shall keep a full record of all the proceedings of said board of trustees, and all action taken by it in regard to the said pension fund, and shall annually make a report to the city council of such city, giving in detail a statement of the transactions of the board for the current year ending December 31, in each year, said report to be made to the council on or before the second Monday in January of each year.

President and secretary of board; record of proceedings; report.

SECTION 4. That the county treasurers of counties containing a city or cities of the third grade of the second class, or a city of the third grade of the first class, shall, semi-annually, at the time of their semi-annual settlement with the auditors of their respective counties, pay over to the treasurers of such cities, on the warrant of the county auditor, one-half of the taxes paid into the treasury of such county by insurance companies incorporated by the authority of any other state or government and doing business in any such city, on the gross receipts of every such insurance company under and by virtue of the provisions of section 2745 of the Revised Statutes, during the half year preceding such semi-annual settlement, and the money so paid over to such city treasurer shall, together with the amount heretofore so paid, constitute a pension fund for the purposes and objects hereinafter set forth.

Foreign insurance companies; tax on applied to such fund.

SECTION 5. In case any such insurance company shall fail to make return to the office of the auditor of the county in which the office or agency of such insurance company may be kept, in the month of May, annually, the amount of the gross receipts of such agency for entry upon the tax list of the proper county, such auditor shall forthwith give notice of such failure to the superintendent of insurance, and said superintendent shall, upon the receipt of such notice from said auditor, forthwith revoke and recall the license and authority to such insurance company to do or transact business within this state. And no renewal of authority shall be granted to such insurance company for three years after such revocation, and it shall be prohibited from transacting any business in this state until again duly licensed and authorized so to do, and the said return shall have been duly made. In each and every case of the failure of the said auditors to give such notice to said superintendent of insurance, such auditor

Failure of such companies to make return of gross receipts penalty.

Duty of county auditor; penalty for neglect.

shall forfeit and pay to said city, for the use and benefit of said pension fund, the sum of one hundred dollars, such forfeiture to be recovered of said auditor in an action at law therefor, brought against him by any person, in the name of any such city, and before any court of competent jurisdiction.

Duty of auditor to deliver statement of such gross receipts, etc., to board; penalty for neglect.

SECTION 6. That it shall be the duty of said auditor to make out and deliver to the said board of trustees, annually, on the first of July, in each and every year hereafter, a correct statement of the name and agent's name of every such insurance company so doing business in said city, together with the amount of the gross receipts of every such insurance company as returned by said agent or company to said auditor for the year previous to such first day of July. In case of the failure of said auditor to so make out and deliver to said board of trustees any such annual statement at the time named in each and every year hereafter, such auditor shall forfeit and pay to said board of trustees for the use and benefit of the said pension fund, the sum of twenty-five dollars. Such forfeiture to be sued for and recovered of such auditor in an action at law brought against him by any person, in the name of any such city, and before any court of competent jurisdiction.

Duty of auditor to deliver semi-annual statement of taxes paid, etc.; penalty for neglect.

SECTION 7. That it shall be the duty of the auditor of the said county to make out and deliver to the said board of trustees, semi-annually, each and every year hereafter, a statement showing the amount of the taxes paid into the treasury of such county by such insurance companies for the year, or part thereof, prior to the making and delivery of such semi-annual statement of said auditor to such board of trustees, and in case of the failure of said auditor to so make out and deliver such semi-annual statement to said board of trustees, as herein provided, in each and every year hereafter, such auditor shall forfeit and pay to said board of trustees, for the use and benefit of said pension fund, the sum of twenty-five dollars. Such forfeiture to be sued for and recovered against him in an action therefor, brought by any person, in the name of such city, before any court of competent jurisdiction.

Other revenues of such fund.

SECTION 8. All fines imposed upon members of the fire department in any such cities by way of discipline or punishment, together with all rewards in money, fees, gifts and emoluments that may be paid or given specially to said pension fund on account of extraordinary services by said fire department, or any member thereof, (except when allowed to be retained by such member, or given to endow a medal, or other permanent or competitive reward,) shall be paid to and received by the said city treasurer, and applied by him to the said pension fund, and the said board of trustees may take by gift, grant, devise or bequest any money, real estate or personal property, right of property or other valuable thing, the annual income of which shall not exceed fifty thousand dollars in the whole, and such money, real estate or personal property, right of property or other valuable thing so obtained, shall in like manner be paid to and applied by such city

Fines, gifts, etc.

treasurer to the said pension fund, and also to the use of such fund by deposit, investment or profit as hereinafter provided, or as such board of trustees shall direct; provided, that the sum of one hundred thousand dollars, which may be received and accumulated under the provisions of this act, shall be, when so received and accumulated, retained as a permanent fund, the annual income of which may alone be made available for the uses and purposes of said pension fund.

Permanent fund.

SECTION 9. That the treasurer of every such city shall execute a bond with sufficient sureties to such city for the faithful performance of his duties as the custodian of such pension fund, in like manner as his present official bond as such treasurer is drawn, executed and filed, and in such penal sum as the said board of trustees shall direct.

City treasurer's bond.

SECTION 10. That the said board of trustees shall have power to draw such pension fund from the treasury of such city, and may invest the said fund in the name of "the board of trustees of the firemen's pension fund" in interest bearing bonds of the United States, the state of Ohio, or any county in this state, or of said cities or of any township, incorporated village, or other municipal corporation in the state of Ohio, where the power to issue such bonds is derived from either general or special legislative authority. That the said bonds shall, before the same are issued to the said board of trustees, be registered in the office of [the] treasurer of the United States, or said state of Ohio, or county, city, township, incorporated village or other municipal corporation in this state issuing the same, and bear upon their face the printed or legibly written fact of such registry, together with the book, and page, and the date and place of such registry. The said board of trustees shall make report to the common council of the condition of said pension fund on the second day of January, in each and every year.

Power to invest said fund in registered bonds.

Annual report of trustees.

SECTION 11. If any member of the fire department of any such city shall, while in the performance of his duty, become or be found upon an examination of a medical officer ordered by said board or committee having control of the fire department, to be physically or mentally permanently disabled, and such disability shall have been caused in, or induced by the actual performance of the duties of his position as such member, so as to render necessary his retirement from all service in the said fire department, such board or committee shall have power to retire such permanently disabled member from all service in the said fire department, and upon such retirement the said board of trustees shall authorize the payment to such permanently disabled member, monthly, from the said pension fund upon the order of the city clerk, the sum of twenty-five dollars. If any member of the said fire department shall, while in the performance of his duty, be killed, or die from the effects of an injury thus received, or of any disease thus contracted, or, while retired, die from any such cause, such member so killed, or dying from said injuries or disease, shall leave a widow, or minor child or

Beneficiaries of such fund:

Payments to.

children under sixteen years of age, or a mother who depended upon him for support, said board of trustees shall authorize and direct the payment from the said pension fund of the following sums monthly, to-wit: to such widow, while unmarried, twenty dollars; to the guardian of such minor child or children, six dollars for each of said children until each child shall respectively arrive at the age of sixteen years, and twenty dollars to such dependent mother until she remarries; and in case there is no dependent mother, but a father who is dependent upon such member for support, such dependent father shall be paid the same sum monthly provided herein to be paid to a dependent mother; provided, however, that if at any time there should not be sufficient money or bonds to the credit of the said pension fund to pay to each person entitled to the benefit thereof, the full amount per month as hereinbefore stated, then and in that event, an equal percentage of said monthly payments shall be made to each beneficiary thereof, until said fund is so replenished as to warrant payment in full to each of said beneficiaries.

Payments not
subject to at-
tachment,
execution,
etc.

SECTION 12. That no portion of the said pension fund shall, either before or after its order of distribution by the said board of trustees to such disabled member of said fire department, or to the widow or guardian of the minor child or children, or to the dependent mother or father of a deceased or retired member of such department, be held, seized, taken, subjugated to, detained or levied on by virtue of any attachment, execution, injunction, writ, interlocutory or other order or decree, or any process or proceeding whatever, issued out of or by any court in this state, for the payment or satisfaction, in whole or in part, of any debt, damages, claim, demand, judgment, fine or amercement of such member or his said widow, or the guardian of the minor child or children, or of the dependent mother or father of any deceased member; but the said fund shall be sacredly kept, held, secured, promoted and distributed for the purpose of pensioning the persons named in this act, and for no other purpose whatever.

SECTION 13. That all acts or parts of acts inconsistent with this act be and the same are hereby repealed.

SECTION 14. This act shall take effect and be in force immediately from and after its passage.

DANIEL J. RYAN,

Speaker pro tem. of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 16, 1887.

[House Bill, No. 1153].

AN ACT

To amend section 2468 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2468 of the Revised Statutes of Ohio, be so amended as to read as follows: Cleveland:

SEC. 2468. The members of the fire department shall receive the following annual salaries: chief of fire department, not less than twenty-three hundred, nor more than three thousand dollars; first assistant chief, not less than nineteen hundred, nor more than twenty-five hundred dollars; second, third and fourth assistant chiefs not less than seventeen hundred, nor more than two thousand dollars, and graded according to rank; captains, not less than ten hundred and eighty, nor more than fifteen hundred dollars; engineers, not less than ten hundred and eighty, nor more than fifteen hundred dollars; lieutenants, not less than nine hundred and sixty, nor more than thirteen hundred and fifty dollars; assistant engineers, not less than nine hundred and sixty, nor more than thirteen hundred and fifty dollars; operators not less than nine hundred and sixty, nor more than thirteen hundred and fifty dollars; store-keeper, not less than nine hundred and sixty, nor more than thirteen hundred and fifty dollars; firemen, not less than nine hundred, nor more than twelve hundred dollars; linemen, not less than nine hundred and sixty, nor more than twelve hundred dollars; superintendent of machinery, not less than thirteen hundred, nor more than eighteen hundred dollars; secretary, not less than sixteen hundred, nor more than two thousand dollars. The pay in all cases to be fixed by the board, and the salaries to be paid monthly to the persons entitled thereto. Salaries to be paid officers and members of fire department.

SECTION 2. That original section 2468 be and is hereby repealed.

SECTION 3. This act shall take effect and be in force on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 17, 1887.

[House Bill No. 1128].

AN ACT

To authorize school boards to convey lands in certain cases.

Columbus:
power of
school board
to donate cer-
tain land for
park pur-
poses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That school boards in cities of the first grade of the second class owning land, which is no longer used for school purposes, adjoining any public park, may convey the same to the city or county owning such park, and in which such land is situated, to be held and used as a part of said park.

SECTION 2. This act shall take effect from its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 18, 1887.

[House Bill No. 788].

AN ACT.

To amend section 1284 of the Revised Statutes of Ohio, as amended April 15, 1882, (79 v. 129.)

Salaries of
state and
other officers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1284 of the Revised Statutes, as amended April 15, 1882, (79 v. 129), be amended to read as follows:

SEC. 1284. Annual salaries shall be allowed as follows: To the governor, eight thousand dollars; private secretary of the governor, eight hundred dollars; executive clerk of the governor, fifteen hundred dollars; adjutant-general, two thousand dollars; assistant adjutant-general, fifteen hundred dollars; lieutenant-governor, eight hundred dollars; judges of the supreme court and supreme court commission, four thousand dollars, each; judges of the common pleas courts and of the superior courts, twenty-five hundred dollars, each; secretary of state, two thousand dollars; treasurer of state, three thousand dollars; auditor of state, three thousand dollars; attorney-general, fifteen hundred dollars; state librarian, fifteen hundred dollars; assistant state librarian, twelve hundred dollars; law librarian, fifteen hundred dollars; assistant law librarian, one thousand dollars; superintendent of deaf and dumb asylum, twelve hundred dollars; steward of same, eight hundred dollars; matron of same, four hundred dollars; assistant matrons of same, each, three hundred dollars; physician of same, three hundred dollars; superintendent of blind asylum, twelve hundred dollars; steward of same, eight hundred dollars; matron of same, four hundred dollars; superintend-

ent of imbecile asylum, twelve hundred dollars; matron and teachers of same, each, four hundred dollars; superintendent of the soldiers' and sailors' orphans' home, twelve hundred dollars; matron of same, four hundred dollars; superintendents of asylums for the insane, each, twelve hundred dollars; assistant physicians of same, each, seven hundred dollars; stewards of same, each, eight hundred dollars; matrons of same, each, four hundred dollars; superintendent of the boys' industrial school, twelve hundred dollars; matron of same, four hundred dollars; superintendent of girls' industrial home, twelve hundred dollars; matrons of same, four hundred dollars; clerk of the supreme court, fifteen hundred dollars, and for services while acting as clerk of supreme court commission, five hundred dollars; deputy clerk for supreme court, twelve hundred dollars; commissioner of railroads and telegraphs, two thousand dollars; superintendent of insurance, two thousand dollars; inspector of mines, two thousand dollars; commissioner of statistics of labor, two thousand dollars; supervisor of public printing, eighteen hundred dollars; and state commissioner of common schools, two thousand dollars.

SECTION 2. That section 1284 of the Revised Statutes of Ohio, as amended April 15, 1882, (79 v. 129), be and the same is hereby repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 18, 1887.

[House Bill No. 853].

AN ACT

To amend section 1002 of the Revised Statutes of Ohio, as amended by act passed January 31, 1881, (78 O. L. 21).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1002 of the Revised Statutes be so amended as to read as follows:

SEC. 1002. The board of county commissioners shall provide suitable rooms in the court house of said county, in which the board of control and county commissioners shall transact their business, and shall also provide books and stationery for said board of control, and may employ a superintendent and such watchmen, janitors and other employes as may be necessary to the care and custody of the court house and jail. Said board of county commissioners shall employ a county engineer, and may employ two assistant county engineers and such rodman and inspectors as the board may

Hamilton
county:

Commission-
ers to provide
certain off-
ices with
offices, etc.

Employment
of certain
employees.

Their com-
pensation.

deem necessary, at salaries to be fixed by the board, and shall furnish said engineers with all the necessary stationery, instruments and implements, and shall allow to said county engineers, rodmen, and inspectors, in addition to their salaries so fixed, their reasonable expenses incurred while engaged on county work.

SECTION 2. That section 1002, as amended by act passed January 31, 1881, is hereby repealed; and this act shall take effect on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 18, 1887.

[House Bill No. 1004].

AN ACT

To amend section 1939 of the Revised Statutes of Ohio, as amended March 7, 1883, (Vol. 80, p. 49.)

Cleveland:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1939 of the Revised Statutes of Ohio, as amended March 7, 1883, be so amended as to read as follows:

Compensa-
tion of police
officers.

SEC. 1939. The following officers of the police force shall receive the following salaries per annum: The superintendent, not less than twenty-two hundred and ten dollars, and not more than thirty hundred dollars; the deputy superintendent, not less than fifteen hundred and sixty dollars, and not more than twenty hundred dollars; each captain, not less than fourteen hundred and sixty dollars, and not more than eighteen hundred dollars; each lieutenant and detective, not less than ten hundred and sixty dollars, and not more than fifteen hundred dollars; each sergeant, not less than ten hundred and ten dollars, and not more than thirteen hundred dollars; each patrolman, not less than nine hundred dollars, and not more than twelve hundred dollars. Provided, the

Details.

board shall have power to detail one or more patrolmen to the superintendent of police or secretary of the board, who shall receive a salary the same as sergeants. The pay in all cases to be fixed by the board, and the salaries to be paid monthly to the persons entitled thereto. Provided, further, the board may also appoint not more than two women to be detailed at the central station to perform such duties as may be assigned to them by said board. The appointment and

Women.

salary of such women to be governed by the rules and regulations governing the appointment and salary of doormen of the police department.

SECTION 2. That original section 1939, as amended March 7, 1883, is hereby repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 18, 1887.

[House Bill No. 1099].

AN ACT

To authorize city councils of cities of the first grade of the second class to issue bonds for sewer purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the first grade of the second class, be and it is hereby authorized and empowered, for the purpose of constructing main trunk sewers, to issue from time to time the bonds of said city for any sum not exceeding in the aggregate seventeen thousand dollars above the amount of bonds for like purposes heretofore already issued by such city.

Columbus:
issue of trunk
sewer bonds.

SECTION 2. Such bonds shall run for such length of time not exceeding thirty-five years, and shall bear such rate of interest, not exceeding six per cent. per annum, and such interest shall be payable annually or semi-annually, as such council may determine. Such bonds shall be designated, issued and sold in all respects in such manner as is or may be prescribed by law for the designation, issuing and sale of bonds of such municipal corporation, and the proceeds of all sales thereof shall be applied exclusively to the purpose for which they are issued.

Issue and sale
of bonds.

SECTION 3. For the purpose of paying the principal and interest of any bonds which may be issued under the authority of this act as they mature, respectively, the city council of such city is hereby authorized and empowered to levy and collect annually, such rate and amount of taxes on each dollar of valuation of taxable property in the corporation on the tax duplicate, not to exceed one-tenth of one mill, as the council may determine, additional in rate and amount, to the aggregate rate and aggregate amount of all

Tax to pay
said bonds.

taxes now or hereafter to be authorized by law to be levied or ordered by such municipal corporation.

SECTION 4. This act shall take effect from its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 18, 1887.

[House Bill No. 1125].

AN ACT

To amend section 1 of an act entitled an act "to define the duties of certain officers of the general assembly, and to provide payment for services rendered in the organization thereof," passed March 20, 1884, (O. L., 81, p. 58).

General assembly:
duties of certain officers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of the above recited act be amended so as to read as follows:

SEC. 1. It shall be the duty of the following named officers in each branch of the general assembly of Ohio, to be present at the organization of the next succeeding general assembly, and to assist in the organization thereof, to-wit: The chief clerk, journal clerk, message clerk, sergeant-at-arms and the second assistant sergeant-at-arms.

SECTION 2. That said original section 1 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 18, 1887.

[House Bill No. 494.]

AN ACT

To authorize cities of the first grade of the first class to issue bonds for paying arrears of debts in work-houses, and make permanent improvements on the premises, and borrow money on such bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That cities of the first grade of the first class having a work-house, be and they are hereby authorized and empowered to borrow eighteen thousand dollars (\$18,000), at a rate of interest not exceeding four per cent. per annum, under resolution of the board of directors of such work-house, and under such regulations as may be prescribed by the comptroller of such cities, to pay any existing debts of such work-house contracted during its management, and to pay for permanent improvements upon such work-house and premises, to-wit: For lighting apparatus by gas, gasoline, or electricity, roofing, repairs, painting and furnishing, and for the payment whereof such work-house has no resources.

Cincinnati:
issue of bonds
for work-
house debts
and improve-
ments.

SECTION 2. The comptroller of such cities is hereby authorized and empowered, upon the application of the board of directors after passing such resolution, to prepare and issue the bonds of such city, in denominations of one thousand dollars (\$1,000.00) each, with proper coupons attached, and having a period to run of ten years, to pay such debts existing, and for such improvements, bearing interest not exceeding the rate of four per cent. per annum, and payable at such place as said city comptroller may direct, to be sold for not less than par, and the proceeds thereof to be applied exclusively to the above named purposes, and in the following manner, to-wit: To pay said debts, not exceeding eight thousand dollars (\$8,000.00); to pay for lighting apparatus, not exceeding seven thousand dollars (\$7,000.00); to pay for said roofing and painting and other permanent repairs and improvements, not exceeding three thousand dollars (\$3,000). All the bills for said outlays shall be paid only on the written order of said comptroller; and any surplus of said proceeds of bonds, after paying for said outlays and said debts, shall be covered into the treasury of such cities.

Issue of
bonds.

SECTION 3. Whenever said bonds shall be for sale, they shall first be duly advertised daily for six days in four daily newspapers of such cities, if there be so many; and the advertisement shall provide for sealed bids for such bonds, to be received until a day and hour to be therein designated, when the bids shall be opened by the president of said board of directors of such work-house, in the presence of the bidders who may attend, and of said comptroller, and the bonds shall be sold to the highest bidder therefor; provided, that none shall be sold for less than par, and that all or any bids may be rejected; and also further provided, that the trustees of the sinking fund of such cities may take all of said bonds

Sale of bonds.

without said advertising and offering, at not less than par, in which case one manuscript bond for eighteen thousand dollars (\$18,000.00) may be substituted, issued, and thus sold to said trustees.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 18, 1887.

[House Bill No. 827].

AN ACT

To authorize municipal corporations having a population at the last Federal census of not less than nine hundred and eighty-seven and not more than nine hundred and ninety to issue bonds for the purpose of boring for natural gas or oil.

Forest au-
thorized to
issue gas and
oil bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any municipal corporation which at the last Federal census had and which at any subsequent census may have a population of not less than nine hundred and eighty-seven, nor more than nine hundred and ninety, is hereby authorized to issue its bonds for an amount not exceeding twenty-two hundred dollars for the purpose of sinking wells for natural gas or oil, purchasing and laying pipes and constructing the necessary buildings, fixtures and machinery to supply such village and the citizens thereof with natural gas or oil for public and private use and consumption.

Issue of
bonds.

SECTION 2. Such bonds when so authorized shall be issued by the council of said village in denominations of seven hundred and thirty-three dollars and thirty-three and one-third cents each, payable in four, five and six years respectively with interest not exceeding six per cent. per annum, payable semi-annually, principal and interest payable at such place as the council may determine; they shall express upon their face the purpose for which and the act under which issued, and shall be signed by the mayor and countersigned and registered by the clerk of the village and shall not be sold for less than their face value.

Limitation on
issue.

SECTION 3. No more of such bonds shall be issued or sold than is necessary for, and required by the actual and necessary cost and expense of sinking such number of wells as may be required for the purpose named, the purchase and laying of pipes and other necessary expenses; and all proceeds and moneys arising from such lands shall be used exclusively for and applied to the payment of the work, labor, material, and other expenses necessary for the supply of gas or oil for the purpose aforesaid.

SECTION 4. All moneys collected or received by the trustees of gas or oil works of such village, from the village or the citizens thereof, for gas or oil furnished and consumed for public or private use, and all net income, revenue and profits arising therefrom, shall be pledged and applied to the payment of such bonds and interest; and the council of such village is hereby authorized to levy a tax annually, not exceeding three mills on the taxable property within such village in addition to the tax now by law authorized to be levied, in such amounts as will each year be sufficient to pay the principal and interest then falling due upon such bonds, and provide a sinking fund for the gradual extinguishment of such bonds. Payment of
said bonds.

Sinking fund.

SECTION 5. All moneys so applicable to the payment of such bonds, which shall come into the hands of such board of trustees before such bonds, or any of them become due, shall be used to purchase such bonds, or invested under the order of the council as a sinking fund to be applied to the payment of such bonds as they become due.

SECTION 6. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 18, 1887.

[Senate Bill No. 375].

AN ACT

Supplemental to section 3245 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following sections shall be supplemental to section 3245 of the Revised Statutes of Ohio, with sectional numbering as follows: Corporate
elections:

Sec. 3245a. Within 15 days next before any meeting held for the election of directors or trustees, or for the determination of any question, by the stockholders of any corporation, or by the subscribers to its stock, or by its creditors and stockholders for its re-organization, any person or persons entitled to vote at said meeting and owning at least a one-tenth interest in its stock may apply to the court of common pleas of the county wherein said meeting is to be held, or, if the court be not in session, to a judge thereof, or, in case of the absence or disability of such judge, then to the probate court, for the appointment of inspectors for such meeting; but no such application shall be acted upon until notice thereof has been served upon the corporation at its general office; and the court or judge may require such additional notice by newspaper publication, or otherwise, as may be deemed proper. Application
for appoint-
ment of in-
spectors of
election.

Notice.

Appointment
of inspectors.

Vacancies.

List of stock-
holders to be
delivered to
inspectors.

Stock owner-
ship how
ascertained.

Conduct of
election by
inspectors.

Certificate of
result.

Compensa-
tion of in-
spectors.

SEC. 3245*b*. Upon the hearing of such application the court or judge shall appoint three competent disinterested persons inspectors for such meeting, if such appointment be considered proper and right, and for good cause may thereafter vacate such appointment as to one or more of said persons and appoint another or others instead. In case of the failure of any inspector to attend said meeting, or to act thereat, the stockholders may fill the vacancy so caused.

SEC. 3245*c*. Before every such meeting, it shall be the duty of the officer or the agent of the corporation having charge of the transfer of its stock, to make out, under oath, a list of its stockholders, showing the number and classes of share, held by each, as shown by its books, on the date fixed for closing the stock transfers before its meetings; and if no time be fixed therefor, then on the tenth day prior to the date of such meeting. Such list shall be delivered to the inspectors of the meeting, and shall be *prima facie* evidence of the ownership of its stock; but in case of its absence the inspectors shall ascertain the ownership of stock by the corporation books, stock certificates or other satisfactory proof.

SEC. 3245*d*. The inspectors so appointed, or if none be appointed, then those selected by the meeting, shall receive and count the votes cast at such meeting, or at any adjournment thereof, either upon an election, or for the decision of any question to be decided by vote, and determine the result, and their certificate of the result shall be *prima facie* evidence thereof.

SEC. 3245*e*. The court or judge making the appointment of inspectors may fix their compensation, and may require the applicants for their appointment to secure its payment; but the corporation shall be liable therefor if the meeting by vote so determine.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 18, 1887.

[House Bill No. 289].

AN ACT

To amend section 3950 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3950 of the Revised Statutes of Ohio, as amended April 14, 1884, (81 v. 211), is so amended as to read as follows:

SEC. 3950. No joint sub-district which is now organized, or may hereafter be organized, shall be dissolved, changed or altered, unless by the concurrent action of the boards of education of the several townships having territory included therein; provided, however, that when any board of education in a joint sub-district desires to dissolve, change, or alter the same, the board of education desiring such dissolution, change, or alteration, shall notify, in writing, the boards of education interested, of the time when they will meet to consider the proposed dissolution, change, or alteration. The place of meeting shall be at the school-house in such joint sub-district; but if there be none, then at some convenient place in the vicinity of such joint sub-district. If the joint boards fail to meet, or, having met, can not agree upon a dissolution, change, or alteration, as the case may be, then the board of education, desiring such dissolution, change, or alteration, may appeal to the probate court of the proper county, and the same proceedings shall be had as in case of appeals in the formation of joint sub-districts, so far as applicable, as provided in sections 3935, 3936, 3937, 3938, 3939, 3940 and 3941; and any joint sub-district established by proceedings in the probate court may be dissolved, changed, or altered, as provided in this section, at any time after the expiration of five years.

Dissolution or
alteration of
joint school
sub-districts.

SECTION 2. That section 3950 of the Revised Statutes of Ohio, as amended April 14, 1884, (81 v. 211), is repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 18, 1887.

[Senate Bill No. 368].

AN ACT

Supplemental to section 1230 of the Revised Statutes of Ohio.

Hamilton
county :

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section shall be supplemental to section 1230 of the Revised Statutes of Ohio, and shall be numbered and known as:

Fees of
sheriff.

[SEC]. 1230a. The sheriff of any county containing a city of the first grade of the first class shall, for services hereinafter specified, when rendered, receive the fees hereinafter provided, and no more: for the service of every writ or summons and the return thereof, (subpoenas only excepted), when only one defendant is named therein, forty cents; each additional defendant twenty cents; levying each writ of execution on real or personal estate, or the service of an order of arrest upon the body of each defendant named in the writ, forty cents, and mileage as in other cases; every bail bond, fifty cents; committing to prison or discharging therefrom, seventy-five cents; attending a person before judge or court, seventy-five cents; serving a writ of possession with the aid of the county, two dollars; and without the aid of the county, one dollar; the copy of any writ or process necessary to complete a service, for each hundred words, ten cents; for serving and returning a subpoena for each person named therein, fifteen cents; serving and returning a subpoena for each person named therein to appear before the grand jury, fifteen cents, to be paid by the county upon the certificate of the court; serving and returning venire for petit or grand jury, traveling fees included, to be paid by the county, six dollars; or removing a jury, to be allowed on each issue, including traveling fees, fifty cents; summoning a special jury, including traveling fees, six dollars; traveling fees upon all writs, precepts and subpoenas, from place of return to place of service, ten cents per mile; poundage on all moneys actually made and paid to the sheriff on execution, decree, or sale of real estate, (except on writs for the sale of real estate in partition), one and one-half per centum on the first thousand dollars, and one per centum on all sums over one thousand dollars; but where such real estate is bid off and purchased by a party entitled to part of the proceeds, the sheriff shall not be entitled to any poundage except on the amount over and above the claim of such party; service of copy of pleading and return, the same fees as are allowed for the service of a summons, including mileage, as herein provided; making a deed of land sold on execution, decree, or order of court, to be paid by the purchaser, three dollars; serving any person with an order of court and making return thereof, forty cents, and mileage, as on service of summons; calling a jury, fifteen cents; opening court and calling each action, to be charged but once each term of the court in which the cause is pending, fifteen cents; calling each witness, eight cents; bringing up a person on habeas

corpus, one dollar; summoning a jury in forcible entry or detainer, or in forcible entry only, two dollars; serving a writ of restitution, one dollar, and mileage therein as in other cases; calling an inquest to appraise lands and tenements under execution, one dollar and fifty cents; making an inquisition and a copy thereof, two dollars; all advertisements in a newspaper, forty cents, in addition to the cost of printing; all written advertisements for the sale of property, either real or personal, forty cents; executing a writ of partition, one dollar and fifty cents and traveling fees as in other cases; selling real estate under an order of court in partition, three-quarters of one per centum, where the amount of the sale does not exceed two thousand dollars, and one-half per centum on the amount over and above that sum.

SECTION 2. Said original section 1230 is hereby supplemented; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President of the Senate.

Passed March 18, 1887.

[House Bill No. 936].

AN ACT

To amend sections 2926, 2926a, 2926b, 2926c, 2926d and 2926e of the Revised Statutes of Ohio, as amended May 19, 1886, (83 v. 209), and to provide for determining the legal residence of electors in cities of the third grade in the first class, and of the first grade and second grade in the second class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 2926, 2926a, 2926b, 2926c, 2926d, and 2926e of the Revised Statutes of Ohio, as amended and passed May 19, 1886, (83 v. 209), be amended so as to read as follows:

Registration
law for cer-
tain cities.

Sec. 2926. In cities of the first and third grades in the first class, and first and second grades in the second class, when six hundred votes or more have been cast in the last preceding election in any ward, or in any precinct in any ward, such ward or election precinct shall be divided by the board of elections hereinafter provided for, into two or more election precincts, so as to limit the number of votes in each ward or precinct to three hundred, as nearly as may be practicable, from time to time; and in cities of the second grade in the first class, the board of elections thereof may divide any ward or election precinct so as to secure the convenience of electors and the prompt and correct conduct of elections.

Election pre-
cincts.

Registration
required of
voters.

SEC. 2926a. In cities of the first class, and first and second grades of the second class, no person shall be deemed or held to have acquired a legal residence in any ward or election precinct for the purpose of voting therein at any election, general or special, nor shall he be admitted to vote at any election therein, unless he shall have caused himself to be registered as an elector in such ward or precinct, in the manner and at the time hereinafter required.

Board of elec-
tions; how
constituted
and ap-
pointed.

SEC. 2926b. The governor of the state shall appoint for each city of the first class and first and second grades in the second class, a "board of elections," to consist of four electors of such city, of well-known intelligence and integrity, not more than two of whom shall be of the same political party, or so reputed. No person shall be appointed or be a member of such board who holds any office under the United States, the state of Ohio, except notaries public, or of such city, or the county in which such city is situated, or who is employed in any department of such city or county, or by any officer of such city or county; and all votes cast at any election for any person, who is, or, within three months next preceding such election, has been a member of such said board, shall be absolutely void. In the appointment of such board of elections by the governor, two members of different political parties shall be designated to serve for two years from the date of their appointment, and the other two, also to be of different political parties, shall be designated to serve for four years from that time; and biennially thereafter the governor shall appoint two members, of different political parties, for the term of four years. For misconduct or neglect of duty, the governor may remove any member of said board; and any vacancy which may occur in such board, by the death, resignation, removal or disability of any of its members, shall be filled by appointment of the governor for the unexpired term of such vacancy or vacancies, and so that each political party shall always have an equality of representation in the said board, or as near as may be. The governor shall appoint a secretary of such board, who shall be an elector of such city, fully qualified for such place, and who shall hold the same for the term of four years; but he may, for official misconduct, be removed by the board; the governor shall appoint his successors, each for the same term of years, and in case of the death, resignation, or removal of the secretary, shall fill the vacancy for the unexpired part of such term. The secretary shall, subject to the control of the board of elections, keep a full and true record of their proceedings, file and preserve in their office all orders, rules and regulations in anywise pertaining to the administration of registration and elections; prepare and furnish, under the orders of such board, all the registers, books, maps, forms, oaths, certificates, instructions and blanks for the use or guidance of registrars, judges and clerks of elections, and the board of canvassers; provide for timely furnishing all of such officers therewith, and with all the necessary supplies provided for them; to receive and keep

Disqualifica-
tions.

Terms.

Removals;
vacancies.

Secretary;
appointment
and removal
of.

His duties.

close custody of all the registers and copies returned to such office as provided herein, and of all records, papers and certificates of every kind relating to the office or administration of such board of elections; he shall also have the care of the ballot-boxes while deposited at the office of such board of elections; and he shall perform all such other or further duties pertaining to such office and affairs as shall be prescribed by such board. The board of elections shall have a sufficient and suitable office and rooms for the purpose herein required, which shall be in charge of their secretary, and shall be kept open daily, except Sundays and legal holidays, in cities of the first and second grades in the first class, and at such times as the board of elections may require in cities of the third grade in the first class, and first and second grade in the second class, each member of the board of elections and the secretary shall, before entering upon the discharge of their office, take and subscribe an oath to support the constitution and the laws of the United States, and the state of Ohio, and faithfully discharge the duties of their office, and to make their utmost endeavors to secure fair and honest elections, which oath shall immediately be filed in the office of the city clerk of such city, and be preserved by him.

SEC. 2926c. The members of the board of elections shall meet within ten days after their appointment, at the mayor's office of such city, and organize by electing one of them president, by ballot. If they fail so to do within fifteen minutes after meeting, the president shall then be chosen by lot. No order, resolution, or action of such board shall be valid without the vote of three of the four members. Such board shall appoint all registrars of elections, judges and clerks of election, and other clerks, officers or agents herein provided for, and designate the ward or precinct in which each shall serve. They shall also appoint the places of registration of electors, and holding elections in each ward or precinct, and hire suitable rooms for such purpose and for their own office, at such rents as they deem just; they shall also provide the necessary and proper furniture and supplies for such rooms, and for the purchase, preservation and repair of all ballot-boxes necessary for use at elections in such city, and all books, blanks and forms necessary for the registrations and elections herein designated, and for duly issuing all notices, advertisements or publications required by law. The board may, from time to time, make and issue all such rules, regulations and instructions, not inconsistent with law, as they shall deem necessary for governing or guiding their secretary and his deputy or assistants, and the registrars of electors and judges and clerks of elections, or other persons under their control in the proper discharge of their respective offices and duties. They shall divide, define and proclaim the election precincts of such city, authorized in section 2926, and the boundaries thereof, and provide for furnishing to each registrar of electors and judges of elections a map and pertinent description of such division and boundaries, and of

Office of
board.

Oath.

Organization
of board; its
general powers
and duties.

Appointment
of registrars,
judges and
clerks.

Registration
and polling
places.

Supplies.

Ballot boxes.

Blanks, etc.

Regulations.

Election pre-
cincts.

Maps.

Assistant secretaries.	any changes which, from time to time, are made by them. When necessary, in cities of the first and second grades, in the first class, they may employ a deputy and one or more clerks as temporary assistants of their secretary, at a salary not to exceed the rate of one hundred dollars per month, and prescribe their duties. The period for which they are employed must always be fixed in the order authorizing their employment, but they may be discharged sooner, at the pleasure of the board. Such deputy, secretary, and all such assistants shall take the oath above prescribed.
Opening and close of polls.	SEC. 2926o. On the day of the November election in every year, and of any other election, the polls in each and every precinct in cities of the first class and first and second grades in the second class, shall be opened by the judges of elections appointed and organized as in this act provided, by proclamation made by the chairman, at the hour of six o'clock in the morning, and shall be closed by proclamation, at the hour of six o'clock in the afternoon, except that in cities of the first grade, first class, when the polls shall be closed at four o'clock in the afternoon. The registrars acting as judges shall punctually, at the hour of opening the polls, attend and produce at the polling place in their several precincts, the registers, affidavits of sick or absent electors and accompanying papers, and also the duplicate certified lists of electors, prepared by them, as herein required. The chairman of the board shall at once designate two members of the board of judges of different political parties, each to hold and to have charge of one of the said duplicate lists; no ballot shall be deposited in the ballot box until the name of the elector offering it shall first have been stated by him and announced aloud by the judge holding the ballot, nor until it shall have been found on both of such lists, and so announced by both of the judges holding such lists. Every ballot must be put in the ballot box by the judge who receives it from the elector; and such judge and the ballot box must always be so placed, and the ballot be so held forth by the judge that it shall be in full view of the elector, until actually put into the box. For any willful violation or evasion of this rule by any such judge, he shall at once be expelled from his office by the other three judges and the vacancy filled in the manner provided by section 2926e; and immediately upon the depositing of the ballot in the box, each of the said judges shall check off the name of such elector on the duplicate list held by him, by placing a "V" distinctly with ink in the column under the word "voted" and in the line with the elector's name; provided that it shall be unlawful for any judges or clerks of election or of any of the witnesses or challengers admitted into the polling rooms at an election, at any time while the polls are open, to have in his possession or to distribute or give out any ballot or ticket to any person on any pretense, nor during the counting or certifying of the votes to have any ballot or ticket in his possession or control, except in the proper discharge of his duty, in receiving, counting, or canvassing the
Duty of registrars.	
Duty of chairman.	
Finding of names in lists.	
Depositing of ballots in box.	
Switching of ballots; perjury.	
Names to be checked off.	
Having possession, etc., of tickets by judges, clerks, etc.	

votes as required by law; but this prohibition shall not extend to the lawful exercise by any judge or clerk of elections, or witness, or challenger aforesaid, of his individual right to vote at such election. Any registered elector, when offering to vote, may nevertheless be challenged by any elector as a non-resident, or for any of the causes allowed by law, and he shall be sworn, and the same proceeding thereupon had as in other cases; in all cases of challenge, the judges holding the duplicate lists aforesaid, shall note the word "sworn" opposite the name of the person challenged. And except as otherwise required herein, the judges of elections appointed, as herein provided, shall have the same powers and discharge all the duties conferred or required by the general laws of the state regulating elections. But except where some authority or duty is herein allotted to one of said judges, no order or action on their part shall be of any validity without the concurrence of three members of said board of judges in any precinct.

Challenges.

Powers and duties of judges.

Order or action of judges.

SEC. 2926 ϵ . Each member of the board of elections appointed under this act, in cities of the first grade in the first class, shall be allowed and paid a salary of one thousand dollars (\$1,000) per annum, and in cities of the second grade in the first class, a salary of six hundred dollars (\$600) per annum. And in cities of the third grade in the first class, and first and second grades, second class, a salary of four hundred dollars (\$400) per annum, payable quarterly. The secretary of the board of elections in cities of the first grade in the first class, shall be allowed and paid a salary of two thousand and four hundred dollars (\$2,400) per annum, in monthly payments, and in cities of the second grade in the first class his compensation shall be fixed by the board, and in cities of the third grade in the first class, and in cities of the first and second grades, second class, a salary of five hundred dollars (\$500) per annum, in monthly payments. The registrars of each election precinct shall be allowed and paid three dollars per day, and no more, nor for more than six days in any one election, for their services as registrars. The judges of election, including the registrars as such, and the clerks of elections so appointed, shall each of them be allowed and paid five dollars for each election at which they serve, and no more, either from the city or county. But no registrar, judge, or clerk shall be entitled to the compensation so fixed, except upon the allowance and order of the board of elections, made at a joint session, certifying that each has fully performed his duty according to law as such, and stating the number of days' service actually performed by each, and signed by the president and secretary of the board to the city comptroller or city auditor of such city.

Salaries of members of board of elections.

Salary of secretary.

Compensation of registrars, judges and clerks.

Allowance thereof.

SECTION 2. Said sections 2926, 2926 a , 2926 b , 2926 c , 2926 d and 2926 e of the Revised Statutes of Ohio, as amended and passed May 19, 1886, (83 v. 209), and all acts and parts of acts in conflict herewith, so far as applicable to said cities of the third grade in the first class and the first and second

Repeals.

Application
of statutes to
certain cities.

grades in the second class, and the act entitled an act amendatory to section 2933 of the Revised Statutes of Ohio, creating a board of election in cities of the first class and of the first grade of the second class, and defining its duties, passed February 23, 1886, (83 v. 11), be and the same are hereby repealed; provided, that the provisions of the act, entitled "an act to amend the supplementary section 2926 of the Revised Statutes, as amended May 4, 1885, and to provide for determining the legal residence of electors in cities of the first and second grades in the first class, and for conducting elections in such cities," passed May 19, 1886, not herein amended, shall apply to cities of the first class and of the first and second grades in the second class.

SECTION 3. This act shall take effect and be in force from and after June 1, 1887.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 424].

AN ACT

To define the legal residence of electors who may be inmates of infirmaries owned or maintained by cities of the first grade of the first class.

Cincinnati:
legal resi-
dence of in-
mates of city
infirmaries.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the legal residence of any qualified elector, who may be an inmate of any infirmary owned or maintained by any city of the first grade of the first class, shall be the ward or precinct of such city where said inmate was domiciled or resident at the time of his admission to said infirmary, and shall so continue during the time he may be an inmate thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 19, 1887.

[Senate Bill No. 377].

AN ACT

To amend sections 1655, 1656, 1658, 1661 and 1672 of the Revised Statutes of Ohio, as amended April 3, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1655, 1656, 1658, 1661 and 1672 of the Revised Statutes of Ohio, as amended April 3, 1885, be so amended as to read as follows:

SEC. 1655. In cities of the first and third grades of the first class, the legislative power and authority shall be vested in a board of aldermen and a board of councilmen, which, together, shall form the common council, and in cities of the second grade of the first class, the legislative power and authority shall be vested in a council.

Legislative
power in
cities of first
class.

SEC. 1656. In cities of the first grade of the first class, the board of aldermen shall consist of thirty members, to be elected by districts, to serve for the term of four years; and, for the purpose of electing such aldermen such cities shall be and are hereby divided into five districts, as follows:

Cincinnati
aldermanic
districts.

The first, second, third, fourth and seventh wards shall constitute the first district.

The fifth, sixth, eighth, ninth and tenth wards shall constitute the second district.

The eleventh, twelfth, twenty-third, twenty-fourth and twenty-fifth wards shall constitute the third district.

The thirteenth, fourteenth, fifteenth, sixteenth and twenty-second wards shall constitute the fourth district, and the seventeenth, eighteenth, nineteenth, twentieth and twenty-first wards shall constitute the fifth district. (82 v. 111).

In cities of the second grade of the first class, the board of aldermen shall consist of fifteen members, to be elected by districts, to serve for the term of two years; and for the purpose of electing such aldermen, such cities shall be and are hereby divided into three districts, as follows:

Cleveland al-
dermanic dis-
tricts.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and twenty-fourth wards, shall constitute the first district.

The eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fifth, twenty-sixth and twenty-seventh wards, shall constitute the second district.

The twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth and fortieth wards, shall constitute the third district.

And in said cities of the second grade of the first class, at the first annual municipal election to be held after the passage of this act, and biennially thereafter, said board of aldermen shall be elected by the electors in their respective districts, and the present board of aldermen, in cities of the

Election of
aldermen in
Cleveland.

Cincinnati
and Toledo
board of
councilmen.

Cleveland
council.

Election of
councilmen.

Legislative
power in
other municipal-
ities.

second grade of the first class, shall continue in office until new boards, as herein provided, shall be elected and qualified.

SEC. 1658. In cities of the first and third grades of the first class, the board of councilmen shall consist of two councilmen from each ward, and they shall be elected for the term of two years; and in cities of the second grade of the first class the council shall consist of one member from each ward, who shall be elected for the term of two years, and the members of the board of councilmen in office shall serve until the expiration of their respective terms of office and thereafter biennially there shall be elected one member from each ward.

SEC. 1661. In cities of the first and third grades of the first class, the members of the council in office shall serve until the expiration of their respective terms, and at each annual municipal election thereafter, one member of the council shall be elected in each ward to serve for two years, and where a new ward is created, the mayor, in his proclamation, shall give notice to the electors that at the next municipal election they shall vote in such ward for one member for one year and one member for two years, designating the term on their ballots. And in cities of the second grade of the first class, when a new board is created, the mayor, in his proclamation, shall give notice to the electors that at the annual municipal election they shall vote in such ward for a member of the council for such new ward.

SEC. 1672. The legislative authority of villages shall be vested in a council consisting of six members, except that in villages divided into three or more wards such authority shall be vested in a council composed of two members from each ward; and the legislative authorities of cities, except as provided in sections 1655, 1656, 1658 and 1661 of the Revised Statutes as hereby amended, shall be vested in a council consisting of two members from each ward.

SECTION 2. That said sections 1655, 1656, 1658, 1661 and 1672, be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 19, 1887.

[Senate Bill No. 179]

AN ACT

To aid in the establishment and maintenance of a combined normal and industrial department at Wilberforce University, Greene county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there shall be established and maintained at Wilberforce university, in Greene county, Ohio, a combined normal and industrial department.

Normal and industrial department at Wilberforce University.

SECTION 2. To carry out the purposes of this act, there shall be, and hereby is created a board of six trustees, to be known as "the board of trustees of the combined normal and industrial department at Wilberforce university." Three shall be appointed by the governor, by and with the advice and consent of the senate, and three shall be chosen by the board of trustees of said university. The trustees so to be appointed by the governor as aforesaid, shall be appointed on or before the first day of May, 1888, and they shall hold their offices, respectively, as follows: One for one year, one for two years, and one for three years, the term of each to begin to run from July 1, 1888; said terms shall be designated by the governor in his messages of appointment to the senate, and in the commissions issued to such trustees. At the session of the senate next preceding the expiration of the term of any trustee, the governor shall appoint his successor for the term of three years; and every appointment of the governor under this act shall be submitted to the senate for confirmation.

Board of trustees; appointment by governor, etc.

SECTION 3. The three trustees to be chosen as aforesaid by the board of trustees of said university, shall be chosen at the first regular meeting of said board on the first day of March, 1888, after the passage of this act; and the three so chosen at such meeting, shall hold their offices, respectively, as follows: One for one year, one for two years, and one for three years, the term of each to begin to run from May 1, 1888. In anticipation of the expiration of the term of any trustee so chosen, the said university board shall, annually thereafter at its regular meeting, choose his successor, who shall hold his office for the term of three years.

Choosing of trustees by university board.

SECTION 4. In case a vacancy in that portion of the board so appointed by the governor or chosen by the university board shall occur from death, resignation, or other cause, the appointment or selection to fill such vacancy shall be made in the one case by the governor, and in the other by the executive board of said university for the unexpired term.

Vacancies.

SECTION 5. It shall be the duty of the secretary of said university, immediately upon choice being made by the university board of three trustees as aforesaid, to certify to the governor, under the seal of said university, the names of the persons so chosen as trustees under this act, with their terms, respectively; and also the name of the person chosen by said executive board at any time to fill a vacancy.

Names of trustees chosen by university board to be certified to governor.

Meetings of trustees.

SECTION 6. The board of trustees created under this act shall meet in regular session at said university twice a year; the first meeting shall be on the third Tuesday of May, and the second on the third Tuesday of November in each year; but other meetings may be held and at such places and times as a majority of the board may determine. The said trustees shall receive no compensation, but shall be reimbursed their traveling and other reasonable and necessary expenses out of appropriations under this act.

Their expenses.

Powers and duties of trustees.

SECTION 7. It shall be the duty of said board of trustees created under this act to take, keep and maintain exclusive authority, direction, supervision and control over the operations and conduct of said normal and industrial department, so as to assure for it the best attainable results with the aid hereby secured to it from the state. Said board shall determine the branches of industry to be pursued, purchase, through a suitable and disinterested agent, the necessary means and appliances, select a superintendent for the industrial branch of the department, fix his salary and prescribe his duties and authority. The expenditures of all moneys appropriated under this act for carrying out its purposes and provisions, shall be made only under such regulations and for such specific purposes not herein provided for, as the board of trustees of said department shall establish; but no money hereby appropriated by the state shall be used at any time for any purpose not in direct furtherance and promotion of the objects of said department.

Non-sectarian character of department.

SECTION 8. No sectarian influence, direction or interference in the management or conduct of the affairs or education of said department shall be permitted by its board; but its benefits shall be open to all applicants of good moral character and within the limitations of age determined by said board.

Payment to university of state appropriations.

SECTION 9. Upon the certificate of the board of trustees of said department, that the necessary steps have been taken by the board of trustees of said university to co-operate with the department trustees in carrying out the purposes of this act, by granting the use of its buildings, grounds and educational facilities, there shall be paid to the treasurer of said university, semi-annually, one-half of such amounts as may be annually appropriated by the general assembly for the purposes herein named. The treasurer of said university shall give to the state of Ohio a bond to be approved by the attorney-general, in the sum of \$15,000, conditioned that he shall faithfully discharge his duties and account for any money coming into his hands from the state of Ohio.

Bond of treasurer.

Annual report, and estimate of appropriations.

SECTION 10. The board of trustees shall cause to be made on or before the first day of December eighteen hundred and eighty-eight (1888) [and] each year thereafter, a report to the governor of the condition, progress and results of said department, with an estimate of what appropriation shall be required to secure the objects of this act.

SECTION 11. Each senator and representative of the general assembly of the state of Ohio may designate a youth, resident in his respective district, who shall be entitled to attend and receive instruction in the normal and industrial department, free of tuition. Upon the withdrawal or graduation of any youth so designated, the vacancy may be filled by the proper senator or representative of his district.

Power of member of general assembly to designate youth for free admission to such department.

SECTION 12. For the purpose of carrying out the provisions of this act, there shall be appropriated annually for the period of two years, the sum of five thousand dollars, and thereafter, at the discretion of the general assembly, the same or such other amount as the general assembly, may deem proper. All revenue arising from tuitions, sales of products, or otherwise under the aforesaid department, shall be applied by its board of trustees to defray its expenses, or to increase its efficiency, a strict account of which shall be kept by the department board, and accompanying the report to the governor.

Appropriations.

Application of revenues.

SECTION 13. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 19, 1887.

[House Bill No. 844].

AN ACT

To amend section 550 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 550 of the Revised Statutes of Ohio, as amended February 7, 1885, be amended so as to read as follows :

Civil procedure:

SEC. 550. That in every instance where a judge of the court of common pleas is interested in the event of a cause, proceeding, motion or matter pending before the court in any county of his district, unless there is a judge residing in such county not so interested, on affidavit of either party to such cause, proceeding, motion or matter pending, or his counsel, showing the fact of such interest, the clerk of the court shall enter upon the docket thereof an order, directing that the paper[s] and all matters belonging to the cause, motion, proceeding or matter pending, in which such judge is interested, shall be transmitted to the clerk of the court of an adjoining county of the same sub-division, when practicable; when not, then to an adjoining county of another sub-division; and when a copy of the docket entry, together with all files

Change of venue in common pleas courts, when judge is interested in the cause, etc.

Proceedings
after change.

belonging to the cause, motion, proceeding or matter pending, is filed with [the] clerk of the court, to which the same is transmitted, such clerk shall docket the cause, motion, proceeding or matter pending, and thereupon the same shall proceed to final judgment or determination, in all respects as though it had been originally commenced in the court last mentioned.

SECTION 2. That section 550 of the Revised Statutes of Ohio, as amended February 7, 1885, be and the same is hereby repealed; and this act shall take effect and be in force from its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 19, 1887.

[Senate Bill No. 435].

AN ACT

To supplement section 3630 of the Revised Statutes of Ohio.

Organization
of companies
for insurance:

Against per-
sonal injury
and loss of
life.

Against ex-
penses and
loss of time
occasioned by
injury or
sickness.

Expenses,
how met.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3630 of the Revised Statutes of Ohio be further supplemented, as follows, with sectional numbering as hereinafter provided:

SEC. 3630i. Companies may be organized under this chapter and section for the special purpose of insuring persons against accidental personal injury and loss of life, sustained while traveling by railroad, steamboat, or other mode of conveyance, and making all and every insurance connected with the accidental loss of life and personal injury, sustained by accident, of every description whatever, and against expenses and loss of time occasioned by injury or sickness, and on such terms and conditions, and for such periods of time, and confined to such countries and localities, and to such persons as from time to time [may] be provided for in the by-laws of the company; and the expenses of such corporations, companies or associations shall be met by fixed annual payments, payable quarterly or otherwise, or by assessments on the members, payable as may be prescribed in the by-laws; and on either plan there may be included in such payments or assessments, a certain per cent. thereof, to be fixed by the by-laws, which, when collected, shall be credited on the books of

the company to the expense fund, and the residue thereof shall be so credited to the fund to pay losses and create a guaranty fund for the payment of losses and liabilities, and said funds shall be kept separate, and shall never be interchanged or used for purposes other than those for which they were respectively collected as aforesaid; provided, that the assessed shall be notified at the time of the collection of each payment, the per cent. thereof that is collected to pay expenses and the per cent. thereof that is collected to pay losses and create a guaranty fund; and provided also, that before any such company shall engage in the business provided for in this section, they shall execute a bond in the sum of one hundred thousand dollars to the state of Ohio, with security to the acceptance and approval of the commissioner of insurance, for the use and benefit of all persons holding policies in such company, conditioned that such company shall credit upon the books of the company all moneys received by them under the provisions of this section, keep the funds separate and not use or interchange them for purposes other than those for which they were respectively collected, and that they will apply and pay out said funds to and for the purposes provided for in this section, and no other; which bond, when so executed, accepted, and approved, shall be deposited with and held by the commissioners of insurance.

SECTION 2. This act to take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 19, 1887.

Expense, loss
and guaranty
funds.

Separation of
such funds.

Notice to per-
sons assessed.

Bond re-
quired.

[House Bill No. 31].

AN ACT

To define the rights and liabilities of husband and wife.

Husband and
wife:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Chapter 1 of Title I. of Part Second of the Revised Statutes of Ohio is so amended as to read as follows:

CHAPTER 1.

HUSBAND AND WIFE.

SECTION

3108. Mutual obligations of husband and wife.
3109. Rights of husband as head of the family.
3110. Duties of husband to wife and minor children as to support.
3111. Interest of husband or wife in the property of the other.
3112. Husband or wife may contract the same as if unmarried.
3113. How far may impair their legal relation.

SECTION

3114. May take, hold, and dispose of property the same as if unmarried.
3115. Neither husband nor wife is answerable for the acts of the other.
3116. Support of wife when husband neglects to do so.
3117. When wife abandons husband, his liability for support.

Mutual obligations.

SEC. 3108. Husband and wife contract towards each other obligations of mutual respect, fidelity, and support.

Rights of husband as head of the family.

SEC. 3109. The husband is the head of the family. He may choose any reasonable place or mode of living, and the wife must conform thereto.

Duty of husband to support family.

SEC. 3110. The husband must support himself, his wife, and his minor children out of his property or by his labor. If he is unable to do so, the wife must assist him so far as she is able.

Interest in the property of the other.

SEC. 3111. Neither husband nor wife has any interest in the property of the other, except as mentioned in sections 3110 and 4188, but neither can be excluded from the other's dwelling.

May contract the same as if unmarried.

SEC. 3112. A husband or wife may enter into any engagement or transaction with the other, or with any other person, which either might if unmarried; subject, in transactions between themselves, to the general rules which control the actions of persons occupying confidential relations with each other.

Sec 2 Pom. Eq. 24 956, 1058.

Cannot alter their legal relations.

SEC. 3113. A husband and wife cannot, by any contract with each other, alter their legal relations, except that they may agree to an immediate separation, and may make pro-

vision for the support of either of them and their children during the separation.

SEC. 3114. A married person may take, hold, and dispose of property, real or personal, the same as if unmarried. [See §§ 4107, 4188].

SEC. 3115. Neither husband nor wife, as such, is answerable for the acts of the other.

SEC. 3116. If the husband neglects to make adequate provision for the support of his wife, any other person may, in good faith, supply her with necessities for her support, and recover the reasonable value thereof from the husband.

SEC. 3117. If the wife abandons the husband, he is not liable for her support until she offers to return, unless she was justified, by his misconduct, in abandoning him.

SECTION 2. That sections 4106, 4107, and 4108, as amended March 29, 1883 (80 v. 79), and also sections 4109, 4131, 4132, 4163, 4176, and 4177 of the Revised Statutes of Ohio, are so amended as to read as follows:

SEC. 4106. A deed, mortgage, or lease of any estate or interest in real property, shall be signed by the grantor, mortgageor, or lessor, and such signing shall be acknowledged by the grantor, mortgageor, or lessor in the presence of two witnesses, who shall attest the signing and subscribe their names to the attestation, and such signing shall also be acknowledged by the grantor, mortgageor, or lessor before a judge of a court of record in this state, or a clerk thereof, a county auditor, county surveyor, notary public, mayor, or justice of the peace, who shall certify the acknowledgment on the same sheet on which the instrument is written or printed, and subscribe his name thereto. [See § 4112].

SEC. 4107. A deed, mortgage, or lease of any estate or interest of a married person in real property, shall be signed, attested, acknowledged, and certified in the manner prescribed in the preceding section. [See §§ 3114, 4188].

SEC. 4108. A power of attorney for the conveyance, mortgage, or lease of any estate or interest in real property, shall be signed, attested, acknowledged, and certified in the same manner as deeds, mortgages, and leases.

SEC. 4109. A deed, mortgage, or lease of any estate or interest in real property, made by virtue of a power of attorney, shall contain the name of the grantor, mortgageor, or lessor, and shall convey, mortgage, or lease the estate or interest of the grantor, mortgageor, or lessor in the real property so conveyed, mortgaged, or leased, as fully as if such deed, mortgage, or lease were executed by the grantor, mortgageor, or lessor in person; but at any time previous to the conveyance, mortgage, or lease, the grantor, mortgageor, or lessor may revoke such power of attorney so far as relates to the interest of the grantor, mortgageor, or lessor therein.

RECORDING.

SEC. 4131. A power of attorney for the conveyance, mortgage, or lease of any estate or interest in real property, shall be recorded in the office of the recorder of the county in

May take and hold property.

Not answerable for acts of the other.

Support of wife when husband neglects to do so.

When wife abandons the husband.

How a deed, mortgage or lease is executed and acknowledged.

How deed, etc. of a married person is executed.

How power of attorney is executed.

Form and effect of such power of attorney.

Revocation.

Recording powers of attorney.

which such real property is situated, previous to the execution of any deed, mortgage, or lease by virtue of such power of attorney.

Revocation of power of attorney must be recorded.

SEC. 4132. No instrument containing a power of attorney for the conveyance, mortgage, or lease of any estate or interest in real property, which has been recorded, is to be deemed revoked by any act of the person by whom it was executed, unless the instrument containing such revocation is also recorded in the same office in which the instrument containing the power of attorney was recorded.

DESCENT AND DISTRIBUTION.

Distribution of personal estate.

SEC. 4163. When a person dies intestate and leaves any personal property, such personal property shall be distributed in the manner prescribed in section 4159 as to real property which came not by descent, devise, or deed of gift from any ancestor, saving, however, such right as any widow or widower may have to any portion of such personal property; but if there is no person living entitled to inherit the same by the provisions of this chapter, such personal property shall pass to and be vested in the state; and the prosecuting attorney of the county in which letters of administration are granted upon such estate, shall collect the same and pay it over to the treasurer of such county, to be applied exclusively to the support of the common schools of the county in which the estate is so collected, in such manner as may be prescribed by law.

Amount of personal estate to which a widow or widower is entitled upon distribution.

SEC. 4176. When a person dies intestate and leaves no children or their legal representatives, the widow or widower shall be entitled, as next of kin, to all the personal property which is subject to distribution upon settlement of the estate; but if the intestate leaves any children or their legal representatives, the widow or widower shall be entitled to one-half of the first four hundred dollars and to one-third of the remainder of the personal property subject to distribution. [38 v. 146, § 180].

Waste by tenant for life—effect thereof.

SEC. 4177. A tenant for life in real property, who commits or suffers any waste thereto, shall forfeit that part of the real property of which such waste is committed or suffered, to the person having the immediate estate in reversion or remainder; and such tenant for life is liable in damages to the person having the immediate estate in reversion or remainder for the waste committed or suffered thereto.

SECTION 3. That Chapter 3 of Title IV. of Part Second of the Revised Statutes of Ohio is so amended as to read as follows:

CHAPTER 3.

ESTATES IN DOWER.

SECTION

4188. Of what estates a widow or widower is endowed.
 4189. Conveyance in lieu of dower.
 4190. Effect of defective conveyance in lieu of dower.
 4191. Effect of eviction from premises conveyed in lieu of dower.
 4192. Husband or wife dwelling in adultery is barred of dower.

SECTION

4188. Where husband or wife gives up lands by fraud or default, dower may be recovered therein.
 4194. Dower is forfeited by waste—damages for waste committed.

SEC. 4188. A widow or widower who has not relinquished or been barred of the same, shall be endowed of an estate for life in one-third of all the real property of which the deceased consort was seized as an estate of inheritance at any time during the marriage, and in one-third of all the real property of which the deceased consort, at decease, held the fee simple in reversion or remainder; and also in one-third of all the title or interest that the deceased consort had, at decease, in any real property held by article, bond, or other evidence of claim; and the widow or widower may remain in the mansion house of the deceased consort, free of charge, for one year, if dower is not sooner assigned; but dower shall not be assigned to any widow or widower in any real property of which the deceased consort, at decease, held the fee simple in reversion or remainder, until the termination of the prior estate. [See §§ 4158-4160].

Of what estate a widow or widower is endowed.

SEC. 4189. The conveyance of an estate or interest in real property, to a person in lieu of dower, to take effect on the death of the grantor, shall, if accepted by the grantee, bar the grantee's right of dower in the real property of the grantor; but if the conveyance was made when the grantee was within the age of minority, or during the marriage, the grantee may waive title to such real property and demand dower.

Conveyance in lieu of dower.

SEC. 4190. When a conveyance which is intended to be in lieu of dower, fails through any defect to be a legal bar thereto, and the widow or widower availing of such defect demands dower, the estate or interest conveyed to such widow or widower, with the intention to bar dower, shall thereupon cease.

Effect of defective conveyance in lieu of dower.

SEC. 4191. A widow or widower lawfully evicted from real property conveyed in lieu of dower, or any part thereof, shall be endowed of so much of the residue of the real property of the deceased consort as will equal that from which such widow or widower is evicted.

Effect of eviction from premises conveyed in lieu of dower.

SEC. 4192. A husband or wife who leaves the other and dwells in adultery, shall be barred of the right of dower in the real property of the other, unless the offense is condoned by the injured consort.

When person dwelling in adultery is barred of dower.

SEC. 4193. If a husband or wife gives up any real property by collusion or fraud, or lose the same by default, the widow or widower may recover dower in the same.

Where lands are given up by fraud, etc.

SEC. 4194. A tenant in dower in real property who commits or suffers any waste thereto, shall forfeit that part of the real property to which such waste is committed or suffered,

Dower is forfeited by waste.

to the person having the immediate estate in reversion or remainder; and such tenant in dower is liable in damages to the person having the immediate estate in reversion or remainder, for the waste committed or suffered thereto.

The estate by curtesy is abolished; but vested rights are not affected.

SECTION 4. The estate by the curtesy is abolished; but nothing contained in this act shall be construed as to affect vested rights; nor the provisions of any sections of the Revised Statutes, except such as are expressly amended or repealed by this act.

Interpretation of the word "property," as used in section 3111.

SECTION 5. In the interpretation of this act, unless the context shows that another sense was intended, the word "property" includes lands, tenements, and hereditaments, money, goods and chattels, rights and things in action, and evidences of debt; but this enumeration shall not be construed to require a strict construction of other words therein.

Provisions to assignment of dower.

SECTION 6. All the provisions of law relating to the assignment of the dower of a wife, shall apply to the assignment of the dower of a husband as far as applicable.

What sections are repealed.

SECTION 7. That section 3108 as amended April 16, 1885 (82 v. 131); sections 3109, 3110, 3111, and 3112, as amended April 14, 1884 (81 v. 209); sections 3113, 3114, 3115, 3116, and 3117; sections 4106, 4107, and 4108, as amended March 29, 1883 (80 v. 79); and also sections 4109, 4129, 4130, 4131, 4132, 4163, 4176, 4177, 4188, 4189, 4190, 4191, 4192, 4193, 4194, and 6194 of the Revised Statutes of Ohio are repealed.

Taking effect.

SECTION 8. This act shall take effect on its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 19, 1887.

[Senate Bill No. 425].

AN ACT

To supplement section 2107 of the Revised Statutes.

Muskingum county:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2107 of the Revised Statutes be supplemented, with sectional numbering as follows:

Commissioners authorized to unite with Zanesville in erection and maintenance of a work-house.

SEC. 2107a. The commissioners of any county containing a population, by the last census, of 49,774, may unite with any city, located in said county, in the erection, management and maintenance of a work-house for the joint use of such county and city; and the commissioners are authorized to levy and collect the necessary funds therefor from the taxable property of the county; provided, that the commissioners shall not collect and expend a greater amount than shall be collected and expended by such city for the same purpose;

and provided further, that not more than ten thousand dollars shall be levied or appropriated by the commissioners for the purpose, unless the amount be approved by a majority of the voters of the county, exclusive of the city, voting at some general election.

SEC. 2107b. The direction, management and control of any such joint work-house, and the maintenance and care of the convicts therein, shall be vested in a board of five directors, who shall be called "the board of joint city and county work-house directors." And such directors shall be freehold electors of such county, and serve without compensation.

Board of directors.

SEC. 2107c. The directors shall be appointed by the mayor of the city having such joint work-house, with the approval of the council of such city, and shall hold their office for five years, except that at the first appointment one director shall be appointed for one year, one for two years, one for three years, one for four years, and one for five years, and thereafter one shall be appointed annually.

Appointment of board; terms of members.

SEC. 2107d. The board of such joint city and county work-house directors shall elect annually, at its first regular meeting in May, one of its members as president, and at the same meeting appoint a secretary and clerk, who shall make a complete record of all its proceedings, and the said board may appoint such other officers as may be necessary, and fix the compensation of all officers for their services.

President, secretary and clerk of board.

SEC. 2107e. Contracts may be made by or on behalf of the board; but it shall be essential to the validity of every such contract, that the same be assented to at a regular meeting by a majority of all the members, and a minute thereof entered on the journal of its proceedings.

Contracts.

SEC. 2107f. The board shall have power to appoint a superintendent, deputy superintendent, and such subordinate officers, guards and employees as may be necessary, fix their compensation and prescribe their duties, and to make all such regulations for their management and government as it may deem expedient.

Superintendent and other employees.

SEC. 2107g. The board shall have power to make, establish and enforce rules and regulations for its own government, and the government and control of the institution, its officers and inmates, and make contracts for supplies and the labor of its inmates.

Rules and regulations.

SEC. 2107h. The books of the institution shall be so kept as to clearly exhibit the time, state and condition of the inmates, the number received and discharged, and by what court, and for what cause committed, the length of time of the commitment of each person, the number of days' labor performed by each convict, and the nature and value of such labor to such institution, and the relative costs and expenses incurred by the institution in managing and taking care of each convict, and the number employed in each branch of industry carried on, and the receipts from and expenditures for and on account of each department of business.

Books, how kept.

Quarterly
statements.

SEC. 2107i. The board shall cause quarterly statements to be made, specifying minutely all receipts and expenditures, from whom and for what purpose received, and to whom and for what purpose paid, with proper voucher for each item, and submit such statement properly certified to the council of such city, and the commissioners of such county, for their examination and approval.

Annual re-
port.

SEC. 2107j. The accounts of the institution shall be annually closed and balanced on the first Monday of January in each year. And full reports of the preceding year shall then be made and submitted to the city council and county commissioners, which shall be published in some newspaper of such city of general circulation in the county, or in such other form as the board of directors may determine; and the city council and county commissioners, or either of such bodies, may require such other reports and exhibits of the condition and management of such institution as they may deem proper.

Powers and
duties of
superintend-
ent.

SEC. 2107k. The superintendent of such work-house shall have the control and management of its affairs, subject to the laws of the state and the ordinances of the corporation, and the rules and regulations adopted by the board for its government. And it shall be his duty to obey all written orders and instructions of the board not inconsistent with the laws, rules and regulations relating to the government of the institution.

General
powers of su-
perintendent.

SEC. 2107l. The superintendent shall be responsible for the manner in which the institution is managed and conducted, shall reside at the same, devote his time and attention to the proper business thereof, and visit and examine into the condition of every department thereof, and of each person confined therein, daily, or as often as good order or necessity may require, and he shall exercise a general supervision and direction in regard to all matters of discipline, police regulation and business of the institution.

Deputy su-
perintendent.

SEC. 2107m. In the absence or inability of the superintendent, the deputy superintendent of the institution shall, so far as relates to the discipline thereof, perform the duties of the superintendent.

Removal of
officers and
employees.

SEC. 2107n. The board, for misconduct or willful neglect of duty, and upon sufficient proof thereof, may remove any officer or employe of the institution, except the superintendent thereof, who shall be removed for cause and in the manner provided for the removal of city officers; and any employe of the superintendent may be discharged at his discretion, but no officer shall be removed by the board, until he has had an opportunity to be heard in his defense.

Cost of main-
taining such
work-house,
how paid.

SEC. 2107o. The costs of maintaining such joint city and county work-house, over and above the proceeds arising from the sale of the products thereof, shall be borne by such city and county jointly, and such expenses shall be paid quarterly by such city and county out of the respective treasuries thereof, upon the certificate of the secretary of such joint

city and county work-house, on the approval of the council of such city, and the commissioners of such county. And the board of county commissioners of any county having such joint city and county work-house, are hereby authorized and required to levy upon the general tax duplicate of the county outside of the corporate limits of such city, such sum as may be necessary, not exceeding five-tenths of one mill on the dollar valuation; and the city council of such city are hereby authorized and required to levy upon the general tax duplicate of such city, such sum as may be necessary, but not exceeding one mill on the dollar valuation for the aforesaid maintenance; and the board of such joint city and county work-house directors, the city council of such city and the county commissioners of such county, in ascertaining and determining, at the end of each quarter, the amount to be paid to such board to meet any deficiency in the products of such joint work-house to maintain the same, shall take into account and be governed by the number of convicts furnished by such city and such county, the number of days' labor performed by the convicts from each, the value of such labor, and the relative costs and expenses of taking care of, managing, and disciplining the convicts of each, and give to such city and county each full credit for the value of the products of such work-house produced by the labor, skill and diligence of the convicts from each, and charge to the account of each, (city and county,) the costs to such institution of working, managing, maintaining, taking care of, and disciplining its convicts, and make assessments upon such city and county for the maintenance of such institution accordingly.

Levy of tax.

Dividing deficiency in products of work-house.

SEC. 2107p. Any city and county having, or that may hereafter erect a joint city and county work-house, may receive as inmates of such joint city and county work-house, persons sentenced thereto as provided by law, from counties and municipal corporations having no work-house, upon such terms and for such length of time, as may be agreed upon by the commissioners of such county or the council of such municipal corporation, and the board of such joint city and county work-house directors; provided, that such convicts, so received, shall, in all respects, be and remain under control of the directors of such work-house and subject to the rules, regulations and discipline of such work-house, the same as other convicts therein detained.

Inmates from other counties.

SEC. 2107q. The commissioners of any county, or the council of any municipal corporation, wherein there is no work-house, may agree with the council of any municipal corporation or other authority having control of the work-house of any other city, or with the directors of any district or joint city and county work-house, upon terms and conditions, upon which persons convicted of misdemeanors, or of the violation of any ordinance of such municipal corporation by any court or magistrate of such county or municipal corporation, having no work-house, may be received into

Counties and cities having no work-house may make provision for care of prisoners in work-house of other county, etc.

such work-house, under sentence of such court or magistrate; and the county commissioners of any such county, and the council of any such municipal corporation, are authorized to pay the expenses incurred under such agreement out of the general fund of such county, or of the municipal corporation, upon the certificate of the proper officer of such work-house; and the sheriff or other officer transporting any person to such work-house, shall have the following fees therefor: six cents per mile for himself, going and returning, and five cents per mile for transporting each convict, and five cents per mile going and coming for the service of each guard, to be allowed as in penitentiary cases; the number of miles to be computed by the usual routes of travel, to be paid in state cases out of the general fund of the county, on the allowance of the county commissioners, and in cases for the violation of the ordinances of any municipal corporation, by such municipal corporation on the order of the council thereof.

Payment of expenses.

Fees of officers.

Sentence and order of court in such cases.

SEC. 2107r. When any person has been convicted of a misdemeanor, or of the violation of any ordinance of a municipal corporation, by any court or magistrate of this state, or of such municipal corporation, in a county or municipal corporation having no work-house, and the commissioners of such county, or council of such municipal corporation have made provisions as allowed by law for receiving persons so convicted into the workhouse of a city in any other county or district, or a joint city and county work-house in this state, it shall be competent for such court or magistrate, in its discretion, where imprisonment in the county or municipal jail may by law or ordinance be imposed in punishment of such offense, to sentence such person to such work-house for a period not exceeding the maximum period of confinement in the county or municipal jail allowed by statute or ordinance for such offense; and in all such cases, such court or magistrate may further order, that such person stand committed to such work-house until the costs of prosecution are paid, or he be discharged as herein provided; and in all cases, where a fine may be imposed in whole or part in punishment of an offense, or for violation of an ordinance of any municipal corporation, and such court or magistrate could order that such person stand committed to the jail of the county or municipal corporation until such fine and costs of prosecution are paid, such court or magistrate may order that such person stand committed to such work-house, until such fine and the costs of prosecution are paid, or until he be discharged therefrom, by allowing a credit of sixty cents per day on such fine and costs for each day of confinement in such work-house, or be otherwise legally discharged.

Credits on fines

Warrant for commitment and detention.

SEC. 2107s. When a person is sentenced to such work-house by the common pleas court, the clerk thereof shall make and deliver to the sheriff a certified copy of the docket and journal entries, showing the crime charged and the sentence of the court, which shall be delivered by the sheriff to the

proper officer in charge of such work-house, which shall be his warrant for detaining such person in custody therein; in cases of such convictions by any other court or magistrate, such court or magistrate shall make a certified transcript from the docket in such case, which shall in like manner be delivered to the marshal, or constable, or sheriff, by such court or magistrate, which shall be delivered by such officer to the proper officer in charge of such work-house, which shall be his warrant for detaining such person in custody therein; in all cases of sentences to a work-house, the person so sentenced may be confined in the jail of the county or corporation prison for such period as may be reasonably necessary for the officer to procure the papers and make arrangements to transport him to such work-house.

Confinement
in jail.

SEC. 2107*t*. When a person is committed to such work-house, under sentence that he stand committed to such work-house until the fine and costs of prosecution assessed against him are paid, as provided in section 2107*p* of this act, such person may pay in money, in whole or in part, to the board of work-house directors, such fine and costs assessed against him, and the said board shall receive and turn the same quarterly into the treasury of the county from which such person was committed; provided, that such person was so committed for the violation of any law of the state; and when any person so committed for the violation of an ordinance of a municipal corporation shall make such payment to such board, it shall be its duty to receive and quarterly turn the same into the treasury of the municipal corporation from which such person was committed.

Payment of
fines and
costs.

SEC. 2107*u*. The board of joint city and county work-house directors may enlarge or improve the buildings, shops or grounds from any surplus that may arise from sale of the products, or from the levy for such maintenance made by such county and city, but no levy for maintenance shall be made when it has not been necessary to use more than one-half of the avails of the levy of the year preceding; and any surplus arising from the carrying on of such joint work-house shall be returned to the general fund of such city and county in the proportion that such surplus may have been produced by the labor of the convicts of each.

Improvement, etc., of
grounds,
buildings, etc.

SEC. 2107*v*. In all cases of sentence and commitment to such joint city and county work-house, all officers shall be paid the same fees therefor allowed by law for similar services in other cases; such fees, in cases of misdemeanor, shall be paid out of the county treasury of the county from which such commitment was made, and when such sentence is for violation of an ordinance, such fees shall be paid out of the treasury of the municipal corporation from which such commitment was made.

Fees of officers.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 19, 1887.

[House Bill No. 928].

AN ACT

Supplementary to section 3397 of the Revised Statutes of Ohio.

Railroad companies:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following section be and is hereby enacted as supplementary to section thirty-three ninety-seven (3397) of the Revised Statutes of Ohio, numbered as herein provided:

Issue of stock or securities by companies organized or reorganized under agreements.

SEC. 3397a. In all cases of railroad companies heretofore or hereafter organized or reorganized under the laws of Ohio, wherein the organization or reorganization agreement provides and stipulates that any class of creditors, bondholders or stockholders of the original company, shall in any wise be restricted or limited, in participation in profits or dividends, or in respect to liens or the right to vote as the holders of stock or securities in said reorganized company, the said reorganized company, its directors and officers shall issue the certificates of stock or securities into which the original stock, securities or debt may be convertible, bearing upon the face of each, plainly and distinctly set forth, such restrictions or limitations, so that purchasers may be advised of the terms thereof; and all holders of stock or securities, created under such reorganization agreements, shall hereafter have only such restricted or limited rights, liens, participation in profits, dividends and right to vote thereon, as may be in such agreements, certificate of stock or securities provided and set forth.

Terms of such agreements to appear on stock and securities issued.

Rights of holders.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 19, 1887.

[House Bill No. 307].

AN ACT

To regulate the construction and plumbing of buildings within any city of the first class of the first grade, and to provide for the appointment of a building inspector.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the mayor of every city of the first grade of the first class shall appoint one person, who shall be an architect or builder, as inspector of buildings in said city of the first class, who shall hold such office for the term of two years, from and after the date of his appointment, subject to the provisions and stipulations of this act, hereinafter provided, and until his successor is duly appointed and qualified, but may be removed by the said mayor for malfeasance, misfeasance or non-feasance in office; said building inspector shall have not more than two assistants, or deputies, one of whom shall be a plumber, whose certificate of the correct fulfillment of the work shall be required; each to be appointed by said building inspector, at a salary not to exceed \$1200 per annum, payable as other city officers, who shall hold his office during the pleasure of said building inspector.

SECTION 2. The inspector of buildings and sanitary matters pertaining thereto, shall, before he enters upon the duties of his office, take and subscribe an oath to faithfully and impartially execute the duties of his office, and see that all buildings erected within said city of the first class are built in accordance with the laws and ordinances relating thereto, and shall give a bond in the sum of \$15,000, with two or more sufficient securities, to be approved by the city solicitor, conditioned for the faithful performance of his duties.

SECTION 3. The said inspector shall keep an office in the city hall, or such other place as shall be provided by the common council, where it shall be the duty of said inspector to keep a record of all permits issued, which shall be regularly numbered in the order of their issue, and also a record of the statements upon which permits are issued. He shall also keep a record of and report to the mayor monthly and annually a full and complete register of the number, description and size of every building erected in the city during his term of office, of what material constructed, with the aggregate of the number, kind, and cost of buildings, and their sanitary condition; and it is also made the duty of said inspector, upon being served with a notice requiring him to visit and inspect any building in the progress of erection or construction, or sanitary matters in relation thereto, to do so, and if said inspector shall fail or neglect to attend within twenty-four hours after notice served for that purpose, he shall forfeit and pay the sum of \$20.00 for each and every day he shall so fail or neglect to attend beyond twenty-four hours, which penalty shall be recoverable by action in the name of said city, for the use of the owners, contractor, or contractors of said building.

Cincinnati:

Appointment
of inspector
of buildings.

Term.

Removal.

Deputies.

Salary.

Oath.

Bond.

Office.

Record of
building per-
mits.

Reports.

Notice to in-
spect build-
ings in pro-
cess of con-
struction, etc.Penalty for
non-com-
pliance with
notice.

Duties of Inspector.

SECTION 4. It shall be the duty of every inspector appointed under the provisions of this act, to visit or inspect each or any house or houses, building or buildings, which may be in course of erection, construction, or alteration within the limits of said city, and to see that each house or houses, building or buildings, are being erected, constructed, or altered, according to the provisions of this law, and all acts and ordinances, in force in said city, and the manner adopted for the security thereof against fire, and the safety of their occupants; that the materials used are suitable for the purpose, (and that the work is done in a substantial and workmanlike manner), and is of sufficient strength and solidity to answer the purpose for which it is designed; and before the foundations are laid he shall examine the trenches dug for the same, and be fully satisfied that the soil or substratum is sufficient for the structure, or at least the best that can be obtained, and should the nature of the soil be such, and the work of sufficient magnitude as to require piling, flagging, or lagging, the same shall be done; provided, however, that it may be deemed necessary by the inspector, that his visits and inspection shall be repeated from time to time, during the erection, construction or alteration of such house or houses, building or buildings, until the same shall have been completed. He shall, upon application for that purpose, furnish the owner or owners, contractor or contractors, his certificate that the said house or building is in all respects conformable to law and properly constructed.

His certificate.

Application for building permit.

SECTION 5. When any person or persons or corporation shall be desirous of erecting, repairing, changing, or altering any building, buildings, or structures, within the limits of said city, he or they shall make application at the office of the inspector of buildings, for a permit for that purpose, and shall furnish said inspector with a written statement of the location, dimensions, and manner of construction of the proposed building, buildings, or structure, and the materials to be used, together with the plans and specifications of the proposed building, buildings, or structure, which shall be delivered to said building inspector, and remain in his custody a sufficient length of time to allow the necessary examination to be made of the same, and he shall have access to the same at any time; after which, if it shall appear to said inspector that the laws and ordinances of the city are complied with, he shall give the permit asked for, upon the payment of the following prescribed fees:

Fees for granting building permits.

The sum of \$1.00 for the permit, and an additional sum of one cent for each and every 100 cubic feet of contents of said building or buildings, or additions to old buildings; and for alterations of old buildings the sum of \$2.00 per thousand dollars, or fractional part thereof, to be charged in addition to the sum of \$1.00 for the permit.

Blank forms.

Blank forms for the detailed statement as herein required may be obtained at the office of the inspector of buildings, which the applicants shall fill out, describing location of the

proposed building, or structure, for what purpose the building, buildings, or structure is designed, and such other information applicable to the proposed improvement, which statement, so properly filled out, the owner or owners, his or their agent, shall sign the agreement contained in said detailed statement, that he or they will in all respects construct the work in compliance with the provisions of this act, and the ordinances of said city, and it shall not be lawful to proceed to construct, alter, or repair any building, buildings, or structure within the limits of said city without such permit.

Building agreements.

SECTION 6. The said inspector shall receive an annual salary of \$2,500.00, payable as the salary of other city officers, which shall be in full for all services to be performed by him; and all fees received by him shall be paid to the city treasurer upon the first day of each month, and he shall also file with the mayor, on the first of each month, a report made under oath, stating the amount of fees received during the month.

Salary of inspector.

SECTION 7. No person shall erect, or continue when erected, any staging in any highway for the purpose of erecting or repairing a building without first obtaining permission from the inspector of buildings, and all such staging shall be so erected and secured as to be safe and sufficient for the purpose for which it was erected.

Fees.

Permits to erect staging on highways.

SECTION 8. In this act the following terms shall have the meanings respectively assigned to them:

Meaning of terms:

"Public Building" means every building used as a church, or other place of public worship; also every building used as a college, school, public hall, hospital, theatre, public concert room, public ball room, public lecture room, or for any public assemblage.

"Public building."

"Lodging House" means a building in which persons are temporarily accommodated with sleeping apartments, and includes hotels.

"Lodging house."

"Tenement House" means a building which, or any portion of which, is to be occupied, or is occupied, as a dwelling by more than three families, living independently of one another and doing their cooking upon the premises; or by more than two families above the second floor, so living and cooking.

"Tenement house."

"Party Wall" means every wall used as a separation of two or more buildings, and used or to be used jointly by said separated buildings.

"Party wall."

SECTION 9. The city may, from time to time, by ordinance, as hereinafter provided, extend and establish fire limits in said city, and within those limits every building, built after such establishment, shall be of brick, stone, iron, or other substantial and incombustible material, and only the following wooden buildings shall be allowed, viz.: Sheds not exceeding twenty-seven feet in height, on wharves, to be used for any lawful purpose; sheds of same height in all parts of said limits to be used for market purposes, or to facilitate the building of authorized buildings; elevators of any height for the storage of coal and grain; all external parts of which

Fire limits; buildings within.

See Sec. 14.

Wooden buildings.

sheds and elevators shall be covered with incombustible material, and the material used, the mode of construction, and the location shall be approved by the inspector.

Wooden
buildings
without fire
limits.

SECTION 10. The city council of said city may, by ordinance, make such requirements, in addition to those contained in this act, as they may deem expedient, in relation to the erection and alteration of wooden buildings outside the fire limits.

Excavations.

SECTION 11. Any excavation upon a lot adjoining a street shall be properly guarded and protected by the contractor having the contract for such excavation, so as not to become dangerous to public travel. Whenever any excavation shall be commenced upon a lot of land, and there shall be a party or other wall standing upon or near the boundary line of said lot, if the person whose duty it shall be to preserve and protect said wall from injury shall neglect or fail to do so for three days after notice in writing from the inspector of buildings, left at the usual residence or place of business of such person, said inspector may enter upon the premises and employ such labor, obtain such materials, and take such other steps as may be necessary to make the same safe and to prevent the same from becoming unsafe, at the expense of the person or persons whose duty it is to protect said wall or building; and such inspector may recover of such person all money so expended as if he had been employed by such person to expend the same. The owner, owners or agent, of such adjoining party wall, or other wall, shall have the reasonable use of such lot so to be excavated in shoring up and making safe such adjoining party or other wall, if said wall is not of legal depth.

Erection or
alteration of
exterior wall
near traveled
street.

SECTION 12. Whenever any person shall be about to erect or alter the exterior walls of a building within five feet of the line of a traveled street, said person shall cause the portion of said site of said building bordering upon said street to be enclosed by a proper fence, not less than four feet high and at least seven feet from the line or such building, and, if such fence shall prevent passage on the sidewalk, shall lay and maintain a plank walk around the same not less than thirty inches wide; and said fence shall be made as much higher and the walk as much wider as the inspector of buildings shall direct, and the same shall be maintained until all liability to accident from falling materials shall be terminated.

Foundation
walls.

SECTION 13. The footing or base course under all foundation walls shall be of stone, and shall not be less than twice the width of the bottom course of the foundation walls; the thickness of each course of footings shall not be less than six inches, and shall not project more than six inches. If a wall be built upon isolated piers, there must not be less than two footing courses of large, well-shaped stone, at least eight inches in thickness, for each course, and to project not more than the thickness of the stone. All foundation walls shall be at least four inches thicker than the wall next above them to the depth below the curb level, as lawfully fixed as the standard depth of foundations for buildings of its class, and

shall be increased four inches in thickness for every additional five feet in depth below said standard depth. Foundation walls in dwelling houses shall be below the basement floor beams not less than four inches thicker than the walls next above them. The depth of fourteen feet below said curb level of the street is hereby fixed as the standard depth of foundations for brick and stone buildings used for business or manufacturing purposes, or public buildings, and the depth of nine feet below said curb level of the street is hereby fixed as the standard depth of foundations for dwelling houses. Any person excavating for or commencing foundations at a greater depth than the above standard, shall be responsible for all damages to adjoining buildings, the foundations of which have been constructed at the standard depth. No person constructing foundation walls down to the standard depth shall be responsible for damages to contiguous buildings, the walls of which have not been constructed to the standard depth. Where a building requiring the fourteen feet standard depth is erected adjoining a dwelling with walls of nine feet standard depth, the owner of the former is to shore up, underpin, or otherwise protect the walls of said adjoining dwelling.

Foundation
walls, contin-
ued.

SECTION 14. All buildings hereafter erected within the fire limits of said city of the first class, shall be made and constructed of brick or stone, and every building of brick or stone, or both, that shall be newly roofed or covered, shall be constructed of line walls or party walls of brick or stone, or of both, and such line walls or party walls shall extend from the foundation to the top of and at least two feet through the roof of the building, and said roof shall be covered with such material as will afford protection against fire, and said walls shall be so constructed as to separate all woodwork, thoroughly and completely, of the interior and exterior of such building from all and every part of the interior and exterior of any adjoining building. And all division and party walls separating dwellings and stores, built in blocks or rows, shall also extend from the foundation and through the roof, the same as line walls. (The term building as used in this section shall not include privies.) The coverings of all roofs of new buildings as well as buildings now standing requiring re-roofing within the fire limits shall be made and constructed of metal, slate, or asphaltum, or some fire-proof composition.

Buildings
within fire
limits.

See Sec. 9.

Party walls.

Privies.

Roofing.

SECTION 15. The floors of all buildings shall be constructed to bear with safety upon each superficial foot of floor surface, as follows: Public buildings, lodging houses, tenement houses and dwellings, seventy pounds. Roofs, fifty pounds. These weights are to be exclusive of the weight of the floors and roof. The requisite dimensions of each piece of material is to be determined by computation, by the rules given by Hatfield, Barlow or Trautwine, or the treatises of other authors now or hereafter to be used at the United States Academy at West Point, on the strength of materials, using for constants in the rules only such numbers as have been deduced from experiments on materials of like kinds with that proposed to be

Floors.

Introduction
of pipes.

Certificate.

Dwelling
houses:
thickness of
foundation
walls.

used. And the safe load shall not exceed one-fifth of the breaking weight as determined by said rules. All gas, water, steam or other pipes, which may be introduced into any building, shall not be let into the beams at a greater distance than twenty-four inches from the ends of the beams, and then not to exceed one and one-half inches in depth for all beams of ten to twelve inches in depth, nor more than two inches for beams of a greater depth. For beams less than ten inches, the sinking must not exceed one inch in depth. In such portions of public buildings, lodging houses, tenement houses and dwellings as may be used as stores or for storage, or manufacturing purposes, and in all other buildings, a certificate of equally distributed load per square foot each floor can safely sustain, shall be posted in a conspicuous place above or adjacent to such floor. No person shall load any floor to a greater degree than above named, or shall remove any certificate posted as above stated.

DWELLING HOUSES.

Thickness of Foundation Walls.

HEIGHT OF WALLS (above curb).	BLOCK STONE.	RUBBLE.	BRICK.
Not exceeding 35 feet.....		18 in.	12 in.
Exceeding 35 and not exceeding 50 feet.....		24 in.	18 in.
Exceeding 50 and not exceeding 75 feet.....	24 in.	28 in.	20 in.
Exceeding 75 and not exceeding 90 feet.....	28 in.	32 in.	24 in.

Thickness of Brick External and Party Walls.

Thickness of
brick external
and party
walls.

HEIGHT OF WALLS.	EXTERNAL WALLS.	PARTY WALLS.
Not exceeding 30 feet.....	12 inches.	Same thickness as external wall.
Exceeding 30 and not exceeding 60 feet.....	16 inches to top of 2d floor joists, and 12 inches the remaining height.	
Exceeding 60 and not exceeding 70 feet.....	16 inches to top of 3d floor joists, 12 inches remaining height.	
Exceeding 70 and not exceeding 80 feet.....	20 inches to top of 2d floor joists, 16 inches to top of upper floor joists, 12 inches remaining height.	
Exceeding 80 and not exceeding 100 feet.....	24 inches to top of 2d floor joists, 20 inches to top of 4th floor joists, 16 inches to top of 6th floor joists, 12 inches remaining height.	
Exceeding 100 feet, for each 15 feet additional height, 4 inches to be added to the thickness designated for each of the respective stories.		

BUILDINGS OTHER THAN DWELLINGS.

*Thickness of Foundation under External Walls.*Buildings
other than
dwellings:
thickness of
foundation
under exter-
nal walls.

HEIGHT OF EXTERNAL WALLS.	BLOCK STONE.	RUBBLE STONE.
Not exceeding 40 feet.....	20 in.	24 in.
Exceeding 40 and not exceeding 65 feet.....	24 in.	28 in.
Exceeding 65 and not exceeding 90 feet.....	28 in.	32 in.
Exceeding 90 and not exceeding 100 feet.....	32 in.	36 in.
Exceeding 100 feet.....

If the foundation is to be set to a depth of more than 14 feet below the grade of the street, for each and every 5 feet or fractional part of 5 feet additional depth greater than 14 feet below the grade of the street, it shall be increased 4 inches in thickness over the dimensions given in this table.

Thickness of External and Party Walls.

EXTERNAL WALLS.		PARTY WALLS.		Thickness of external and party walls.
HEIGHT.	THICKNESS.	HEIGHT.	THICKNESS.	
Not exceeding 40 feet.....	12 inches.	Not exceeding 40 feet.....	12 inches.	Thickness of external and party walls.
Exceeding 40 and not exceeding 60 feet.....	16 inches to top of 3d floor, 12 inches remaining height.	Exceeding 40 and not exceeding 65 feet.....	16 inches to top of 3d floor joists, 12 inches remaining height.	
Exceeding 60 and not exceeding 80 feet.....	20 inches to top of 3d floor joists, 16 inches to top of 5th floor joists, 12 inches remaining height.	Exceeding 65 and not exceeding 80 feet.....	Same as external walls.	
Exceeding 80 and not exceeding 100 feet.....	24 inches to top of 2d floor joists, 20 inches to top of 4th floor joists, 16 inches remaining height.	Exceeding 80 and not exceeding 100 feet.....	Same as external walls.	
Exceeding 100 feet.....	For each and every additional 15 feet above 100 feet, 4 inches to be added to the above thicknesses.	Exceeding 100 feet.....	Same as external walls.	

In all buildings over twenty-five feet in width and not having either brick partition walls or girders supported by columns running from front to rear, the wall shall be increased an additional four inches in thickness, the same relative thickness in height as required by the table given for [every] additional ten feet in width of said building or portion thereof.

Walls of
buildings
over twenty-
five feet in
width and not
having, etc.

In all buildings hereafter erected, situated on a street corner, the bearing wall thereof, (that is, the wall on the street upon which the beams rest,) shall be four inches thicker in all cases

Bearing wall
of building
on corner.

Other walls.

than is otherwise provided for in this act. All walls other than bearing walls may be four inches less in thickness than required in the provisions of this act (and the table), provided no wall is less than twelve inches in thickness.

Hollow walls.

SECTION 16. Hollow walls may be used instead of solid walls, and the exterior walls of all such hollow walls shall be not less than eight inches thick, and tied together perpendicularly, with continuous withes of hard burned brick, of good quality, or other approved materials, which shall not be more than three feet apart, and all air flues shall be smoothly plastered or pargeted. The entire thickness of such hollow walls, not including the air space, to be four inches more in thickness than is called for by the preceding table.

Stone caps, brackets and cornices.

SECTION 17. All stone caps, brackets and cornices projecting beyond face of wall, must in all cases have an excess of weight back of the plumb face of the wall, unless other proper supports or anchors are provided for the same.

Walls having solid buttresses.

SECTION 18. If solid buttresses are employed, with an average sectional area of 300 or more square inches, placed less than eighteen feet apart, and extended to, or nearly to the top of walls, four inches may be deducted from the thickness of any wall having such buttresses. This section applies to rooms not exceeding sixty feet in width. For greater widths, special provision shall be made.

Backing of exterior walls faced with stone.

SECTION 19. Exterior walls faced with stone shall have a backing of not less than eight inches of hard brick work laid in mortar; but in no case shall the thickness of stone and backing taken together, be less than the thickness required for a brick wall of the same height.

Walls already built in conformity to certain laws.

SECTION 20. Any wall now existing that shall have been built conformable to the requirements of any law regulating the construction of such walls, and in force at the time of such construction, if sound and in good condition, may be used in the construction of any adjoining building; provided, however, that no brick work shall be placed on such wall to give additional height to the wall, unless the thickness of such additional wall and the thickness of the old wall in each story shall conform to the preceding table.

Area walls adjoining street, not over twelve feet high.

SECTION 21. The area walls adjoining the street line and not more than twelve feet in height, shall be constructed of stone laid in cement mortar and batter on the interior face, one inch in every perpendicular foot of height, and to be not less than eighteen (18) inches at the top. All stone walls, less than twenty-four inches thick, shall have at least one header extending through the wall in every six square feet, and, if over twenty-four inches in thickness, shall have one header for every six superficial feet on both sides of the wall, and running into the wall at least two feet. In every brick wall every seventh course of bricks shall be a heading course; where walls are faced with pressed brick, every seventh course shall be bounded into the backing by cutting the courses of the faced brick and putting in diagonal headers behind the same, or by splitting face brick in half and backing the same

Heading courses for walls.

by a continuous row of headers. All heading courses shall be good, perfect, hard brick.

SECTION 22. All walls shall be securely anchored with iron anchors to each tier of beams. The front, rear, side, end and party-walls shall, if not carried up together, be anchored to each other every six feet in their height by tie anchors made of one and three-quarter inch by three-eighths of an inch wrought iron. The said anchors shall be built into the full thickness of the front and rear walls, and shall have "T" heads one inch in section and not less than twelve inches long, so as to secure the front and rear walls to the side, end, or party walls; and all stone used for the facing of any building, except where built with alternate headers and stretchers as hereinbefore set forth, shall be strongly anchored with iron anchors, and all such anchors shall be let into the stone not less than one inch. The side, front, rear and party walls shall be anchored to each tier of beams at intervals of not more than eight feet, with good strong wrought iron anchors, three-eighths by one and one-half inches, built in not less than two-thirds of the thickness of the side walls, and have the ends turned down into the joists and securely spiked thereto; and where the beams are supported by girders, the ends of the beams resting on the girder shall be strapped by wrought iron straps of the same size, and at the same distance apart, and in the same beams as the wall anchors. All wall anchors used in any building shall have hooked ends turned up not less than four inches, with scantling blocks built into the wall. Where anchors run parallel with joists or beams, the same shall not be less than two (2) feet long, in other cases not less than five (5) feet long.

Walls, how
anchored.

SECTION 23. No chimney shall be built with less than four-inch walls, and no chimney top shall be less than five feet above the roof; ordinary flues in business buildings shall have four-inch walls and eight-inch jambs; flues larger than 250 square inches and less than 500 square inches, shall be surrounded with walls not less than eight inches thick; the walls of such flues, above the inlet funnel, shall be twelve inches thick for the first fifteen feet around and above such inlet; tops of such chimneys to be at least eight feet above the roof, or five feet above the highest part of the roof within fifty feet of such chimney. Flues with more than 500 and less than 800 inches area shall have not less than sixteen-inch walls opposite the inlet and ten feet above the same, and not less than twelve-inch walls for the next thirty-six feet; top of chimney ten feet above the roof, or seven feet above the highest part of the roof within fifty feet of such chimney.

Chimney
walls.

The above provisions shall be applicable only to such chimneys as are part of or situated in any building. Flues in party walls shall not extend beyond the center of the wall; flues opposite each other in party walls shall be separated by a four-inch "with" of brickwork their entire length, bonded every course.

Flues in
party walls.

- Fire flues.** All fire-flues shall be built of well burnt bricks, having joints filled through, and where flue-linings are not used, to be smoothly plastered on the inside and also on the outside where passing through joists.
- Chimneys not forming part of wall.** Any chimney not forming a part of a wall shall rest upon the ground with proper foundation, and in no case shall any chimney rest on or be supported by frame work, beams or posts of wood work of any description.
- Roofing.** SECTION 24. The weather covering of all roofs within the fire limits, except of cottage dwelling houses not over sixteen feet high above the grade of sidewalk, shall be made of incombustible material. The pitch of non-combustible composition roofs shall not exceed two inches to the foot.
- No uncovered tar, composition, resin, felt or woodwork shall in any way be exposed on any roof or its appendages.
- Appendages.** Appendages to any business building above the first story, and above thirty feet from the grade of sidewalk on any other building, if not wholly of incombustible material, shall be enveloped with metal; dormer windows, cornices, moldings, gutters, eaves and parapets, balconies, bay-windows, towers, spires, ventilators, etc., shall be considered as appendages.
- Rain water leaders.** SECTION 25. All buildings hereafter erected shall be kept provided with proper metallic leaders for conducting the water from the roof to the ground-sewer, or street gutter, in such manner as shall protect the walks and foundations from damage; and in no case shall the water from such leaders, or otherwise, be allowed to flow upon the sidewalk, but shall be conducted by drain pipe to the street gutter or sewer, or by a covered gutter. The above leaders must be connected with the street sewer wherever there is one.
- Drain pipes.** SECTION 26. All store buildings over one story in height, whether already erected or hereafter to be built, shall have scuttle frames and covers, or bulkheads and doors made of or covered with some fire-proof material; and all scuttles and bulkheads shall have iron ladders or iron stairs, to be securely bolted to the floor and frame; and all such scuttles and bulkheads shall be kept so as to be ready for use at all times; and all scuttles shall not be less in size than two (2) feet by three (3) feet. The door in the bulkhead, or any scuttle, shall at no time be locked, but may be fastened on the inside by movable bolts or hooks. Glass in all skylights, if not of prismatic lights, shall be protected by screens made of No. 10 (or heavier) wire with meshes not exceeding one and one-half inches; such screens to be well secured immediately below the skylights.
- Scuttles and bulkheads.** SECTION 27. In no building, whether the same be a frame building, or otherwise, shall any wooden beams or timbers be placed within six inches of any flue, whether the same be a smoke, air or any other flue. All wooden beams, joists or other timbers in the party or division wall of every building hereafter erected, shall be separated from the beam or timber entering in the opposite side of the wall by not less than four inches of solid mason work; and every beam, joist or bearing
- Skylights.**
- Wooden beams and timbers.**

timber shall rest at least four inches in the wall or on the girder, as authorized by this order, exclusive of any projection or corbel from the wall. No timber shall be used in any wall of any building where stone, brick or iron is commonly used, except wall-plates to receive the roof, bond timbers and lintels, as provided in this order. No bond timber shall exceed four inches in width and three feet in length; they shall be laid horizontally, and there shall be eighteen inches of solid mason work between them. In all buildings of brick or stone, the ends of the joists shall be cut with a bevel of one inch in four inches. Every trimmer or header more than six feet long used in any building, except a dwelling house, shall be hung in stirrup-irons of wrought iron of a proper thickness and width for the size of the timbers; and all girders, trimmers and tie-beams, and other principal framing timbers, shall rest at least eight inches on the walls or girders; in all buildings in which the joists exceed ten inches in depth, there shall be a row of solid bridging set in and securely nailed; said line of bridging shall not exceed twenty-five feet apart, and shall not be less than two inches in thickness, so as to prevent the passage of fire or smoke.

Timbers, continued.

SECTION 28. All openings for doors and windows in all buildings shall have a good and sufficient arch of stone or brick, well built and keyed, and with good and sufficient abutments, or a lintel of stone, wood, or iron of proper strength.

Arches over doors and windows.

SECTION 29. All business buildings, being more than fifty-six feet high, covering an area of more than 5000 superficial feet, also, all buildings exceeding eighty feet in height, shall have a two and one-half inch (or larger) metallic stand pipe within or near the front wall, extending above the roof, and arranged so that engine hose can be attached from the street. All hose and couplings shall conform to the size and pattern adopted by the fire department.

Stand pipes required on certain buildings.

SECTION 30. All hearths or ordinary fireplaces shall rest on trimmer arches, the header kept at least eighteen inches from face of chimney breast. The back of all fireplaces shall be not less than eight inches thick; all stove-pipe holes to have proper thimbles and stoppers. All chimney breasts shall be built solidly their entire height, except such parts as may be occupied by the necessary flues in same. And a violation for this section shall be, for the first offense, a fine in any sum not exceeding twenty-five dollars, and any additional offense, a fine of one hundred dollars and imprisonment of thirty days in the work-house.

Fire places.

Stove-pipe holes.

Chimney breasts.

Penalty.

SECTION 31. Stairways shall not be inclosed with partitions made of planks, boards, flooring, or scantling, unless plastered on both sides or covered with metal, (except in dwelling houses). Scantling partitions shall not be employed as supporters of any floor or roof, (except [in] dwelling houses).

Stairway partitions.

Scantling partitions.

Fire proof
shutters,
doors, etc., re-
quired on cer-
tain build-
ings.

Prismatic
lights.

Fire escapes.

Power and
duties of
smoke and
fire inspector.

Notice to
erect fire
escapes.

Number of.

Penalty for
failure to
erect same.

Buildings
within fire
limits not to
be used for
certain pur-
poses, unless,
etc.

SECTION 32. All stores, store-houses, mills and manu-
factories that may hereafter be erected in said city of the first
class, which are more than two stories high, shall have doors,
blinds, or shutters, made of fire-proof material, or wood
covered with metal on both sides, on every window and
entrance where the same are within thirty feet of any opposite
buildings. When in any such building the shutters, blinds,
or doors cannot be put up on the outside, they shall be put
on the inside and hung upon iron eyes or frames independ-
ent of any wood-work; shutters above the first story to be
arranged so that they can be opened from the outside. Pris-
matic lights in iron frames shall be regarded as an equivalent
to iron shutters.

SECTION 33. All buildings except such as are used for pri-
vate residences exclusively, in said city of the first class, of
three or more stories in height, shall be provided with one or
more suitable fire-escapes, extending from the first story to
the upper stories of such building, and above the roof and on
the outer walls thereof, in such location and numbers and of
such material and construction as the inspector of buildings
may determine; provided, that in said city of the first class,
having a smoke and fire-inspector, the said inspector shall
perform all the duties and be vested with all the powers im-
posed upon the inspector of buildings by this and the follow-
ing sections. After such determination by said inspector of
buildings, he may at any time, by a notice served in writing,
upon the owner, lessee, or occupant of any such building, by
leaving with such owner, lessee, or occupant, or at his or their
residence or place of business, a copy of such notice, require
such owner, lessee, or occupant, or either of them, to cause
such metallic fire-escape to be placed upon such building with-
in thirty days after the service of such notice; provided, how-
ever, that all buildings more than two stories high, used for
manufacturing purposes, shall have one suitable fire-escape
for every twenty-five persons or less employed above the
second story, or a fire-proof stair-way. In case such lessee,
owner, or occupant, or either of them; so served with notice
as aforesaid, shall not, within thirty days after the service of
such notice upon him or them, place or cause to be placed,
such suitable fire-escape upon such building as required by
this article and the terms of such notice, he or they shall be
subject to a fine of not less than \$10.00, or more than \$100.00,
and to a further fine of \$50.00 for each week, of such neglect
to comply with such notice after the service of the same.

SECTION 34. No building within the limits of said city of
the first class shall be used or occupied, in whole or in part,
for any of the trades or occupations hereinafter mentioned,
to-wit: planing mill, sash, doors and blind factories, wagon
or carriage manufactories, cabinet and furniture manufac-
tories, wood-turning and veneering works, agricultural imple-
ment manufactories, box or shingle factories, or any other
wood-working factory, two or more stories in height, unless
such building so occupied shall have in connection with it a

brick or fire-proof vault of sufficient capacity to contain all shavings, saw-dust, chips, or other light combustible refuse connected therewith; all such shavings and other light combustible material or refuse shall be removed daily from such premises to such vault, and all such shavings or light combustible refuse shall be removed daily from any and every carpenter, cooper, or wood-working shop not herein specified.

SECTION 35. No person shall hereafter, either as owner, lessee, or agent, use or occupy, or permit the use and occupation of any store, factory, workshop or other structure, where any person or persons shall be employed as workmen or workwomen, for wages, in any trade or occupation, unless every such store, factory, workshop, or other structure shall be provided with sufficient fire-proof doors and stairways for the escape of employes in the event of fire or other accident happening, under the penalty of not less than \$25 for each and every offense, and the further penalty of \$50 for each and every day, each owner, lessee or agent shall, after the first conviction, neglect or refuse to comply with any provision in this section.

Penalty for using, etc., certain buildings lacking fire-proof doors and stairways.

SECTION 36. Hot air, hot water, steam or other furnace, whether brick or metal, shall be kept at least ten inches, and the smoke pipe at least twenty inches, off from any unprotected wood-work. All furnaces shall be placed on foundations of brick or stone, with proper hearths of incombustible material, at least twenty-four inches wide in front of the ash-pit; all hot-air conductors that are placed within ten inches of any wood-work shall be made double, one within another, with at least one-half inch space between the two; all hot-air registers shall be set in incombustible borders not less than two inches in width; all such borders shall be firmly set in plaster of Paris; openings in floors for registers shall be lined with heavy tin or galvanized iron, to receive the register boxes, the lining to be kept at least one inch distant from such register box.

Heating apparatus.

SECTION 37. Every theatre, opera house, concert hall, or building to be used for public entertainment, (except churches), hereafter erected, altered or changed, shall have at least one front on the highway or public street, and in front there shall be suitable means of entrance and exit for the audience; an open space shall be reserved for the use of the audience in leaving the building, and for service in the event of fire, to be on three sides of the portion of the structure in which the auditorium and stage are placed. The said space shall not average less than ten (10) feet in width, for places accommodating one thousand (1,000) persons; and it shall have outlets on the highway or public street aggregating not less than twenty feet in width, and proper outlets shall be provided for the stage. For all buildings enumerated above, the outlets and space shall be in proportion to the number of persons accommodated, as hereinafter provided, but in no case shall the outlets be less than on an aggregate of sixteen (16) feet in width to the highway or public street; the above mentioned

Theatres, etc.

Theatres, etc.,
continued.

space and outlets shall be kept free from any obstruction whatever. No portion of any building hereafter erected, altered, changed or used, or to be used for any of the above purposes, shall be occupied or used as a hotel, boarding or lodging house, factory, or for storage purposes, unless the same is completely isolated by brick walls, which shall pass up and through the roof at least four (4) feet; and no workshop or storage room for theatrical purposes shall be allowed above either the stage or the auditorium. Carpenter shops and property rooms for the storage of furniture and other accessories may be provided for on the premises, in which case they shall be separated from the other portions of the theatre by means of fire-proof partitions and ceilings; the painted scenery and other decorations may be stored in a contiguous store room, but they shall be enclosed with fire-proof partitions, ceilings and floors; and no place in the building shall be let for the storage or sale of any article classified by insurance companies as hazardous or extra hazardous material. The space between the ceiling of the auditorium and the roof shall be divided by means of fire-proof partitions into compartments, not more than twenty-five feet in length by the full width of the building, and said partitions shall extend from the ceiling to the under side of the sheathing of the roof, and proper doorways shall be placed in the center of each partition, with a self-closing iron door, or a wooden door covered with metal, and there shall be a substantial passage way from front to rear of said roof for the convenience of firemen, and shall have substantial railings at each side. All ventilating shafts from the ceiling line shall be of fire-proof material, and shall pass at least four (4) feet above the roof. The roof over the stage shall have skylights or lanterns equal in area to at least one-tenth of said roof, and the whole shall be so arranged as to open instantly on the cutting or burning of a hempen cord which shall be arranged to hold said skylight closed, or some other device in the judgment of the inspector may be used if equally as simple. All seats in the auditorium except those contained in the boxes shall be firmly secured to the floors, and no seat in the auditorium shall have more than six (6) seats intervening between it and the aisle, and no camp-stools or other obstruction shall be placed in any aisle or passage way; all aisles in the auditorium shall have at least a width of twenty (20) inches for every one hundred persons or parts thereof to be provided for, and no aisle or passage way shall be less than three feet, six inches at the narrowest points, and shall be increased in width to the point of exit, at least one inch for every five running feet or part thereof. Every doorway communicating between the aisles and passage ways in the auditorium, and any lobby or corridor, shall have a clear opening of not less than the full width of the aisles and passage ways leading to such doorway, and each door shall open outwardly. The aggregate capacity of the lobbies, corridors, passages and rooms for the use of the audience must, on each floor or galley, be sufficient to contain the entire

number to be accommodated on said floor or gallery in the following ratio, viz.: Two hundred and fifty feet of superficial floor room is to be allowed for every one hundred persons. Every theatre, concert hall, opera house or other building used for any public entertainment, accommodating three hundred persons, shall have not less than two exits; when accommodating five hundred persons, not less than three exits shall be provided, and no doorway of exit or entrance for the use of the public shall be less than six feet in width; and for every one hundred persons additional, or portions thereof to be accommodated, in excess of five hundred persons, twenty inches additional width shall be allowed; all doors of exit or entrance shall open outwardly, and no such doors shall be closed or locked during any representation, or when the building is open to the public. Distinct and separate places of exit and entrance shall be provided for each gallery above the first floor. A common place of exit may serve for the main floor of the auditorium and the first gallery; provided, however, its capacity is equal to the aggregate capacity of the outlets from the main floor and gallery. All stairs shall be constructed of fire-proof material throughout; stairways serving for the exit of one hundred people must, if straight, be not less than four feet wide, and, if curved or winding, shall be not less than five feet six inches wide, and for every additional one hundred people to be accommodated, nine inches must be added to the width of the stairs, and in no case shall the risers exceed seven and a quarter inches in height, and the tread shall not be less than eleven inches in width. No stairway to any public hall, or part thereof, shall rise more than ten feet without a platform, and no winders, wheelers, or circular steps shall be used. Not less than two independent staircases, with direct exterior outlets, shall also be provided for the galleries in the auditorium, and the same shall be located on the opposite sides of the same, and all of said staircases shall be enclosed to the height of the ceilings. When straight stairs return directly upon themselves, a landing of the full width of both flights, and of the depth of not less than once and a half the length of the steps shall be provided. Stairs turning at an angle must have a proper landing without risers at the turn. In stairs where two side flights connect with one main flight, no winders shall be introduced, and the width of the main flight must be equal to the aggregate width of the side flights. The ceilings of the auditorium and of the lobbies and staircases, shall be lathed with iron or wire laths, or fire-proof tiling, and finished with three good coats of mortar. All inclosed passages, corridors and staircases, shall have on both sides a strong hand rail, firmly secured to the walls, three inches distant therefrom, and not less than three feet above the floor or stairs; and no passage leading to any stairs or exit shall be less than four feet wide at the narrowest point. Every portion of the building de-

Theatres, etc.,
continued.

Theatres, etc.,
continued.

voted to the use or accommodation of the public, also all outlets leading to the highway or street, shall be well and properly lighted during every performance, and the same shall be kept lighted until the audience shall have departed from the premises. Gas mains supplying any of the above named places shall have independent connections from the stage and auditorium, and proper provisions shall be made for cutting or shutting off the gas from the outside, contiguous to the premises. All stage lights shall have strong metal wire guards or screens of sufficient fineness, that any materials coming in contact therewith shall not be in danger from the flames. In some conspicuous place on every gallery or floor the regulations for the protection of the public against fire or accident shall be posted, together with a plan or diagram of the gallery, or floor, showing distinctly the mode of exit therefrom, said diagrams to be also printed on each program. And every exit shall have over the same, on the inside, the word "exit," painted in large letters not less than eight inches in length. The wall separating the stage from the auditorium shall be of brick or stone, or constructed of fire-proof materials, and the walls separating the auditorium, from the vestibule, refreshment or other rooms, also those inclosing the staircase, shall be built of brick or stone, or shall be plastered on both sides on iron or wire lath or fire-proof tiling, and the doorways in said walls shall be provided with fire-proof doors. All walls and partitions in that portion of the building which contains the auditorium, the entrance, vestibule, or any room or passage devoted to the use of the public, shall be constructed of fire-proof material, and all doorways shall be provided with self-closing wrought iron doors. The partitions separating the actors' dressing rooms from the stage shall be lathed with iron or wire laths on both sides, finished with three good coats of mortar, or with corrugated sheet iron with close joints.

Buildings
used for
church pur-
poses.

SECTION 38. Any building, hall or room hereafter erected and not included in the above, and used for church purposes, shall be constructed as follows, viz.: the general provisions of the preceding sections of this act, as regards thickness of foundations, walls, and quality of workmanship and materials shall apply to all such buildings. Not more than nine seats shall be in one continuous row opening on to an aisle; aisles with two sections of seatings opening on to the same shall be not less than four feet six inches (4' 6") wide; wall or other aisles with one section of pews opening on to same shall be not less than three (3) feet wide. All such buildings seating 300 persons or over shall have not less than two means of exit and entrance, with direct outdoor connections to same. The floor space for such building, including aisles, vestibules and stairways, but not including pulpit, organ, choir, etc., (which must be added to the area of the building), shall be not less than nine and one-half square feet for each person to be seated. All exit doors shall open outward and shall be one-half larger than the width of aisles. Stairways shall be in width as wide

as the combined width of all the aisles, and shall have treads and risers as provided for above.

Whenever it shall be reported to the inspector of buildings that any church, theater, hall, or other building or structure, used, or intended to be used temporarily or permanently for any public purpose, is deficient in proper facilities of egress from any cause whatever arising from the manner of construction or repairs on the premises, it shall be the duty of the said inspector of buildings to inspect the same, and if, in his judgment, they are so deficient, he shall notify the owner or owners, occupant, lessee or other persons having charge thereof, and require of him or them such increased facilities of egress as in the judgment of the inspector, the security of the public in life and limb in case of fire or accident may require.

Proceedings where inspector is notified that church, theatre, etc., is unsafe.

The person or persons so notified shall be allowed seven days from the time of the service of the notice to begin alterations required by the notice.

If he or they shall refuse or neglect to comply with the requirements of said notice, such owner or owners, lessee or other person having charge of the premises shall be liable to a penalty of not less than ten dollars nor more than fifty dollars, for every day's continuance of neglect or refusal to comply with the notice of the inspector of buildings, to be recovered by the city in an action of tort.

Penalty.

SECTION 39. No portion of the main floor of any public hall, not used as a theatre, and with accommodations for five hundred persons, shall be elevated to a greater height than thirty (30) feet above the street grade. Public halls, with accommodations for one thousand persons or more, shall have the main floor not over twenty-five feet above the street grade. No portion of the main floor of any theatre, with accommodations for five hundred or more persons, shall be more than ten feet above the street grade.

Main floor of public hall.

SECTION 40. All such buildings shall have at least one water stand pipe and water plug, to be placed on the stage or platform, or in its immediate vicinity, which shall be connected with the water pipes or street mains of the city, and shall be put in under the direction and to the satisfaction of the fire marshal of said city and of the inspector of buildings.

Stand pipe and water plug required on or near such buildings.

SECTION 41. Hose shall be attached to such stand pipe of such size as may be directed by said fire marshal, to have nozzle and stop-cock attached thereto; such hose shall be of sufficient length to extend to the farthest limit of such building or place of amusement, and shall at all times be kept in good order and repair. And the said fire marshal or his assistant shall inspect said hose at least once a month, and place on file with the building inspector a certificate certifying that same has been inspected and said hose is in good order.

Hose.

Inspection of.

SECTION 42. All public halls with accommodations for one thousand or more persons, shall have at least one stand pipe in the street or alley on the outside of the building from

Stand pipes on certain public halls.

Fire alarm telegraph.	ground to roof, with hose attachment close to a window or door at each floor or gallery.
Number of persons permitted in public halls.	SECTION 43. Such hall shall also be provided with a fire alarm telegraph apparatus, connected by the necessary wires with the headquarters of the city fire-alarm telegraph, or such other place or places as the fire marshal shall direct.
Egress openings and stairways to public halls, workshops, etc.	SECTION 44. The license of each public hall shall state the number of persons it has accommodations for, and no more than that number shall be allowed to enter such hall at any one time, which number shall be governed by the number of feet of exit of the doors and passages, and shall be approved by the inspector of buildings.
Raised frame buildings.	SECTION 45. The egress openings and stairways of public halls or other rooms wherein crowds of people occasionally assemble, or wherein large numbers of employes are kept at work, shall in no case be less than five feet wide, nor aggregate a less proportion than eighteen inches for each one hundred persons such public halls or other room may contain or accommodate. This provision to apply to the doors of each gallery or compartment of such building, as well as to the extension openings. All doors of such buildings or rooms shall be made to swing outward.
Walls for spaces under sidewalks.	SECTION 46. Any frame building may be raised for the purpose of constructing a basement story under such building; the principal floor of such building shall not be elevated more than eight feet above the grade of sidewalk, except one story cottages, which may be raised ten feet. If the building to be raised is a church or other hall or assembly room, the thickness of the basement wall shall be proportioned to its length and other conditions, to be approved by the inspector of buildings.
Openings in sidewalks.	SECTION 47. Any person desirous of utilizing the space under the side walk in front of any building owned by him, shall construct a sufficient stone wall to retain the roadway of the street, and shall extend the side walls, division and party walls of such building under the sidewalk to such curb wall; openings in sidewalks for the admission of coal or light, shall be covered with prismatic lights in iron frames, or with iron covers having a rough surface, and in no case will a smooth surface be tolerated on any such cover. No plain surface of glass shall be placed in any sidewalk. In all cases where sidewalks are to be thus used, a permit shall be first obtained from the inspector of buildings; such permits shall specify the details of such construction.
Permits.	SECTION 48. All elevators running in connection and in the same well-hole with stairways, shall be built together, with stairs of fire proof material. All elevator walls shall be inclosed with walls of brick or some other incombustible material when practicable, unless otherwise ordered by the inspector; and where, in the opinion of the inspector, it is impracticable to construct the walls of brick or other incombustible material, said elevator walls shall be inclosed with substantial framing, and shall be finished with three good
Elevators. Stairs.	
Walls.	

coats of plaster on each side, the lathing to be done with iron laths properly secured.

When an inspection of an elevator or elevators has been made by the inspector of buildings, and the same has been put in a perfectly safe condition, in accordance with this ordinance, he shall make out a certificate of the same, which shall state the date of the inspection of the elevator, the weight it may safely carry, and that the shafts and doors are constructed in accordance with this ordinance, which certificate shall be framed by the owner and put up in some conspicuous place near such elevator for examination by the public, and the said inspector shall cause a record to be made of said certificate of inspection in a well-bound book, alphabetically indexed.

Certificate of safety.

Record of certificates.

It shall be unlawful, under a penalty of \$50.00 fine for each offense, for any person having the control or care of any elevator, to use or permit the use of the same after it has been declared by the inspector to be in a dangerous or unsafe condition, and he has prohibited the use of same, until all necessary repairs have been made and properly done, to the satisfaction of the inspector.

Penalty for use of unsafe elevator.

The openings through or upon each floor of any building in which there is a hoist or elevator car not running in a shaft, shall be protected by sufficient automatic rails, or gates and trap-doors, the latter covered with metal on the underside, or such other mechanical devices as shall be equivalent thereto; and every elevator car and hoist shall be provided with some sufficient arrangement to prevent the falling of the car or hoist in case of any accident to the ropes, pulleys, or other hoisting apparatus.

Openings for elevators.

Arrangement to prevent falling of car.

SECTION 49. No person or persons shall carry on the business of plumbing, or engage in conducting plumbing or house drainage, until he or they shall obtain a license as such plumber from the board of public affairs; and no person shall receive such license who shall not have an established place of business within the limits of said city of the first class, and who shall not furnish the board of public affairs satisfactory evidence of his responsibility and skill to apply his trade in accordance with the rules and regulations of the board of public affairs, the board of water commissioners, the board of health and the ordinances of said city of the first class; and it shall be the further duty of every person or persons making an application for a license to carry on the business of plumbing, to accompany his or their application with a bond signed by two or more sureties, to be approved by the board of public affairs, in the sum of five hundred dollars (\$500), conditioned that he or they will indemnify and save harmless said city of the first class from all accident and damage caused by negligence, either in the execution or protection of his work, or for any unfaithfulness or inadequate work done under and by virtue of his license, and that said license [e], as such, will also conform to all the conditions and requirements of the city for his or their government, or in default

Licensing of plumbers.

Plumber's bond.

thereof, will submit to such penalties as are or may be prescribed by the board of public affairs, the board of water commissioners, the board of health, or the ordinances of said city of the first class. The inspector of buildings shall have authority and power, whenever, in his opinion, any plumber, in doing any plumbing or house drainage, violates any rule or regulation of the board of public affairs, the board of health, the board of water commissioners, or the ordinances of said city of the first class, to suspend said license; and it shall be the duty of the officer making such order of suspension to report the same to the board of public affairs, and if the said board shall be of the opinion that the charges are well founded, they may revoke said license.

**Suspension of
plumber's
license.**

**Revocation
thereof.**

**Duty of
plumber as to
pipes and
drains.**

**Duty of
owner.**

Drainage.

**rain and
soil pipes.**

**Trapping of
rain water
leaders.**

SECTION 50. Every plumber, before doing any work in a building, shall, except in the case of repair, obtain a certificate from the city engineer that the drain connecting the premises with the sewer has been accepted, and shall file in the office of the inspector of buildings, upon blanks to be provided for that purpose, notice of the work to be performed. It shall be the duty of the owner or other duly authorized person to furnish a plan which shall show the whole course of said pipe from its connection with the house drain to its termination above the roof of the house, and all branches, traps and fixtures to be connected therewith, which plan must be approved by the inspector of buildings before any portion of the work shall be executed.

SECTION 51. Every building shall be separately connected with the public sewer, when such sewer is provided, and if such sewer is not provided, all water closets are to drain into a cemented cesspool built of hard brick or stone of a capacity to be approved by the said inspector.

SECTION 52. Drain and soil pipes through which water and sewage are conducted, shall be of iron when within a building; they shall be sound, free from holes and other defects, of a uniform thickness of not less than one-fourth of an inch. They shall be securely ironed to walls or laid in trenches of uniform grade, or suspended to floor timbers by strong iron hangers, as the said inspector may direct. They shall be supplied with a suitable trap, placed, with an accessible cleanout, either outside or inside the foundation wall of the building; they shall have a fall of not less than one-eighth of an inch per foot toward the drain or sewer, and soil pipes shall be carried out through the roof, open and undiminished in size, to such a height as may be directed by the inspector; but no soil pipe shall be carried to a height less than two feet above the roof; changes in directions shall be made with curved pipes, and connections with horizontal pipes shall be made with Y branches; all lines of soil pipes, and the fittings on it, over fifty feet in length, to be the standard extra heavy pipe.

SECTION 53. Rainwater leaders, when connected with sewer or drain pipes, shall be suitably trapped; each house drain shall be provided with a fresh air inlet on the house side of

the trap, extending to the external air, where inspector directs, of not less than the area of the drain.

SECTION 54. Sewer, soil pipe, or waste pipe ventilators shall be constructed of iron, same as soil pipe, and smoke flues shall not be used as such ventilators. **Sewer and pipe ventilators.**

SECTION 55. Iron pipes, before being put in place, shall be inspected by the said inspector, and coated inside and outside with coal tar or pitch, applied hot, or other suitable material; joints shall be run with molten lead, and thoroughly caulked and made tight; connection of lead pipes with iron pipes shall be made with brass ferrules, properly soldered and caulked to the iron; all standing soil pipes extending through one or more stories in height, shall be subjected to the water pressure test. **Inspection of iron pipes; requirements.**

SECTION 56. Every sink, basin, bath-tub, water-closet, slop-hopper, and each set of trays, and every fixture having a water pipe, shall be furnished with a trap, which shall be placed as near as practicable to the fixture that it serves; traps shall be protected from syphonage or air pressure by special air pipes of a size not less than the waste pipe; but air pipes from water-closet traps shall be of not less than two-inch bore for thirty feet or less, and of not less than three-inch bore for more than thirty feet; air pipes shall be run as direct as practicable, and carried through the roof. **Traps for bath tubs, water-closets, etc.**

SECTION 57. Drip or overflow pipes from safes under water-closets, and other fixtures, or from tanks or cisterns, shall be run to some place in open sight, and in no case shall any such pipe be connected directly with a drain, waste pipe or soil pipe. **Air pipes.**

SECTION 58. Water pipes from refrigerator or other receptacles in which provisions are stored shall not be connected with a drain, soil pipe or waste pipe. **Overflow pipes.**

SECTION 59. Every water-closet or line of water-closets on the same floor shall be supplied with water from a tank or cistern, and the flushing pipe shall not be less than one and one-quarter inches ($1\frac{1}{4}$) in diameter. **Refrigerator pipes.**

SECTION 60. Pipes and other fixtures shall not be covered from view or concealed until after the work has been examined by said inspector, and he shall be notified by the plumber when the work is sufficiently advanced for inspection. **Water for water-closets; flushing pipe.**

SECTION 61. Plumbing work shall not be used unless the same has first been tested by the inspector, with the peppermint, ether or water test, and by him found satisfactory. **Inspection of pipes, etc.**

SECTION 62. No steam exhaust shall be connected directly with any soil or waste pipe, or drain which communicates with a public sewer. **Test of plumbing work.**

SECTION 63. A grease trap shall be constructed under the sink of every hotel, eating house, restaurant, or other public cooking establishment. **Steam exhausts.**

SECTION 64. In every factory, workshop, or other place or structure where machinery is employed, the belting, shafting, gearing, elevators, and every other thing, when so located as to endanger the lives and limbs of those employed therein **Grease traps.**

Guarding of machinery, etc.

Vats of hot liquids, etc.	while in the discharge of their duties, shall be, as far as practicable, so covered or guarded as to insure against any injury to such employes.
	SECTION 65. Every vat, pan, or other structure with molten metals or hot liquids, shall be surrounded with proper safeguards for preventing accidents or injury to those employed at or near them.
Storage of explosives, etc.	SECTION 66. No explosive or inflammable compound or combustible material shall be stored or placed under any stairway of any building, or used in any such place or manner as to obstruct or render egress hazardous in case of fire.
Penalties.	SECTION 67. Any person or persons neglecting to comply with any of the requirements contained in the last three preceding sections, after notice so to do from the inspector of buildings, shall be subject to a penalty of not less than \$10 for each such neglect or refusal, and the further penalty of \$25 for each and every day such neglect or refusal shall continue.
Woodwork near stoves.	SECTION 68. Floors under all stoves shall be protected by a covering of incombustible material; stoves shall be kept at least twenty inches, and their smoke pipes twelve inches, from any unprotected wood-work.
Woodwork of boiler houses.	SECTION 69. The woodwork of all boiler houses and boiler rooms shall be kept at least six feet from the boiler, and four feet from the breeching or smoke conductor, and one foot from the dome of the boiler, unless such woodwork is properly protected with incombustible material, and then there shall be at least two feet space from the boiler or smoke pipe and the protection.
Floor of boiler room.	SECTION 70. The floors of all rooms, when containing stationary boilers, shall be made of incombustible materials, five feet on all sides, and at least eight feet in front of any boiler.
Heaters and lights in rooms containing hay, etc.	SECTION 71. No unprotected heater or movable light shall be kept within any room or building wherein hay or straw, or any highly inflammable articles are kept or stored, unless protected by a permanent surrounding wire screen with meshes less than one-quarter of an inch thick.
Steam pipes near wood-work.	SECTION 72. Steam pipes shall be kept at least two inches from all woodwork; otherwise they shall be protected by a soapstone, or earthen ring or tube, or a double tube of galvanized iron, or rest on iron supports.
Wooden flag poles.	SECTION 73. Wooden flag-poles are permitted to be erected on any building, but their braces and other parts, if any such be put on, shall be of iron.
Awnings.	SECTION 74. When awnings are attached to buildings, the frame work shall be of metal.
Derrick posts and guy lines.	SECTION 75. Iron bars shall not be driven in the roadway of any street for the purpose of attaching guy ropes of derricks; posts may be set up opposite any derricks for the purpose of attaching guy lines; such posts shall be not less than eight inches square, of sound timber, sixteen feet long, set at least four feet into the ground; guy ropes attached to such

posts shall be kept at least ten feet above the surface of the street.

SECTION 76. Any work of alteration or addition made for any purpose in, to or upon any building, except the necessary repairs, not affecting the construction of the external or party walls, chimneys, stairways or height of building, shall, to the extent of such work, or alteration, or addition, be subject to the regulations of this ordinance.

Alterations in
and additions
to buildings.

SECTION 77. Any person desiring to move a building, shall first obtain the written consent to such removal from persons owning a majority of feet front of lots in same block, on same street in which it is proposed to locate such removed building, and also a majority of persons owning front feet opposite the proposed location, and within one hundred and fifty feet of the same; no wooden building within or without the fire limits, shall be moved to any lot within said limits where it would be in violation of law to build such wooden building.

Removal of
buildings.

SECTION 78. No person, except a licensed house-mover, shall remove any building within the limits of said city of the first class; and every such person shall annually, before engaging in such occupation, obtain a license therefor from the mayor, and no such license shall be granted until the party applying therefor shall have given a bond in the sum of one thousand dollars, with good and sufficient sureties, to be approved by the city solicitor, conditioned, among other things, that said party will pay any and all damages which may happen to any tree, pavement, street or sidewalk, or to any telegraph pole or wire belonging to said city of the first class, whether said damage or injury shall be inflicted by said party or his agents, employes or workmen; and conditioned, also, that said party will save and indemnify, and keep harmless said city of the first class against all liabilities, judgments, damages, costs and expenses which may in anywise accrue against said city of the first class in consequence of the granting of such permit or license, and will in all things strictly comply with the conditions of his permit.

Licensing of
house-
movers.

Bond.

SECTION 79. Upon execution of said bond and its acceptance by the city solicitor, a license shall be issued, and the said licensed person shall, in each and every instance, before removing any building, obtain a permit so to do from the inspector of buildings, and shall pay to said inspector a fee of two dollars, whereupon said inspector shall issue a permit stating specifically all the conditions, prescribing the route to be taken and limiting the time of removal.

Removal per-
mits.

Inspector's
fee.

SECTION 80. The owner or other party having an interest in any building, staging, or other structure, or anything attached to or connected with a building or other structure, which shall be unsafe, so as to endanger life, shall, immediately upon notice received from the inspector of buildings, cause the same to be made safe and secure, or taken down; and where the public safety requires immediate action, the inspector may enter upon the premises, with such assist-

Repair and
removal of
insecure
buildings,
etc.; notice.

Power of in-
spector.

Exterior porches, stairways, etc.	ants as may be necessary, and cause the said structure to be secured or taken down without delay, and the passers-by to be protected at the expense of such owner or party interested. Any building used as a tenement, workshop or factory, or for any other purpose, and having exterior balconies, porches, or stairways, shall have the same provided with floors, steps and railings, to be approved by the inspector, and to be examined by him at least once in every six months; and upon the evidence of decay or giving away in any of these parts, notice to be immediately served upon the owner or lessee of same, who shall proceed at once to have the same made safe, and failure to do so within three days following the date of notice, the inspector may proceed to have same done, and the cost to be assessed and stand as a lien against the property until paid.
General penalty.	SECTION 81. Any person who shall violate any of the provisions of this act, where no other penalty is provided, shall be subject to a fine of not less than \$10.00 nor exceeding \$100.00, for each and every offense.
Application of this act.	SECTION 82. Every wall, structure and building hereafter built or altered in said city of the first class shall conform to the provisions of this act, so far as they are applicable, except bridges, quays, wharves and buildings belonging to the government of the United States.
Right of entry into buildings, etc.	SECTION 83. All the officers appointed under this act, or any future amendments to the same, shall, so far as may be necessary for the performance of their respective duties, have the right to enter any building or premises in said city of the first class.
Enforcement of foregoing provisions by injunction, etc.	SECTION 84. Any court having equity jurisdiction, in term time or vacation, may, on the application of the inspector, by any suitable process or decree in equity, enforce the provisions of this act, and may, on such application, issue an injunction to restrain the use or occupation of any building or structure in said city, erected, altered, maintained or used in violation of this act.
Repeals.	SECTION 85. All acts and parts of acts inconsistent with this act are hereby repealed.
Taking effect.	SECTION 86. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill, No. 475].

AN ACT

Supplementary to section 2229 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 2229 of the Revised Statutes, with sectional numbering as herein provided :

Cincinnati :

SEC. 2229b. That in any city of the first grade of the first class, should it be deemed necessary by the board of public affairs of said city to provide new pumping engines for water works purposes, and the requisite amount of money to pay for the same shall not be in the proper funds applicable to such uses, the said board, may, nevertheless, contract for the building and furnishing of such necessary engines at a cost not exceeding one hundred and sixty thousand dollars ; provided, however, that the cost of the same shall be fully paid within said limits out of the ordinary revenue of said water works arising from the future earnings thereof.

Contract for
new pumping
engines for
water works.

Payment.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 462.]

AN ACT

Authorizing the commissioners of the sinking fund to borrow money for the purpose of redeeming outstanding certificates of indebtedness and making appropriations to meet the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of the sinking fund are hereby authorized and empowered to borrow the sum of five hundred thousand (\$500,000) dollars, at a rate of interest not exceeding 3½ per cent., said interest to be paid out of the sinking fund on the first day of January and July of each and every year, the sum so borrowed to be made payable in series as follows : On July 1, 1889, two hundred and fifty thousand dollars (\$250,000); on July 1, 1890, two hundred and fifty thousand dollars (\$250,000).

Commission-
ers of sinking
fund author-
ized to bor-
row money.

SECTION 2. The money so borrowed shall be placed to the credit of the sinking fund for the purpose of redeeming the certificates of indebtedness issued by the sinking fund commissioners under the act passed May 13, 1886.

For what pur-
pose.

Issue of certificates of indebtedness.

SECTION 3. The said commissioners, on behalf of the state, shall issue, for the money so borrowed, certificates of indebtedness, which shall not be disposed of for less than their par value, and which shall be signed by the sinking fund commissioners and attested by the governor. Provided, however, that should there be received from the general government the direct tax due the state of Ohio, there must be placed to the credit of the sinking fund the sum of eight hundred thousand (\$800,000) dollars, or as much thereof as may be received of that amount. The balance, if any, to be placed to the credit of the general revenue fund. In that event the above named certificates shall not be issued, nor any money borrowed, as provided above, and that the five hundred thousand (\$500,000) dollars borrowed under the act of May 13, 1886, and due July 1, 1887, shall be paid out of the fund received from the general government and placed to the credit of the sinking fund.

Proviso.

Appropriation to pay certificates due July 1, 1887.

SECTION 4. For the purpose of paying the certificates of indebtedness issued under the act of May 13, 1886, and due July 1, 1887, there is hereby appropriated out of any money to the credit of the sinking fund, the sum of five hundred thousand dollars, and so much in addition thereto as may be necessary to pay the interest thereon, due July 1, 1887, and other necessary expenses of the sinking fund commissioners, in redeeming the old and issuing new certificates of indebtedness.

SECTION 5. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 488].

AN ACT

To amend section 6961 of the Revised Statutes of Ohio, as amended May 4, 1885, and May 17, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 6961 be so amended as to read as follows:

Killing and catching of game at certain times and in certain ways forbidden; penalty.

SEC. 6961. No person shall, in any place, catch, kill or injure, or pursue with such intent, any quail or prairie chicken, except between the tenth day of November and the first day of January of each year, inclusive; or any wild turkey between the fifteenth day of January and last day of October, inclusive; or any ruffed grouse, or pheasant, or blue-winged teal between the first day of January and the last day of August, inclusive; or any mallard, wood-duck, or any other wild duck, between

the tenth day of April and the last day of August, inclusive; or any wood-cock between the first day of January and the third day of July, inclusive; or any turtle-dove between the first day of January and the first day of August; or any squirrel between the first day of January and the first day of June; or any rabbit between the first day of February and the first day of October; or catch, or trap, or snare, at any time, any quail or Virginia partridge; or upon any bog, river, estuary, marsh, mud-flat, or in any cover to which wild fowl resort, by the aid of any swivel or punt gun, or any other gun than a common shoulder gun, or with or by the aid of any artificial light, or with the aid of or from any sink-boat or battery, or with any trap or net, kill or wound, or catch, or pursue with such intent, any wild goose, or brant, or wild duck, or any other water fowl, or destroy or disturb the eggs or nests of any such birds. Excepting in the waters of Lake Erie, and the estuaries and bays thereof, no person shall, in any place, catch, kill or injure, or pursue with such intent, any blue-winged teal, mallard, wood-duck, or any other duck, on Sunday, Monday or Tuesday of any week, between the first day of September and the first day of April of any year; provided, that nothing herein shall be construed to authorize the catching, killing, injuring, or the pursuing with such intent, any blue-winged teal, mallard, wood-duck or any other duck on Sunday. And any person violating any provision of this section shall be guilty of a misdemeanor, and on conviction, punished as hereinafter provided in section 6968.

Killing of
game, etc.

Penalty.

SECTION 2. Section 6961, as amended May 4, 1885, and May 17, 1886, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 467].

AN ACT

For the apprehension and conviction of horse-thieves and other felons.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any number of persons not less than fifteen, a majority of whom shall be residents of the state of Ohio, are hereby authorized to become incorporated for the purpose of apprehending and convicting horse-thieves and other felons.

Corporations
for the apprehension and
conviction of
horse thieves,
etc.

Seal.	SECTION 2. Any association so incorporated may make and use a common seal with the name of the corporation thereon.
Constitution.	
Officers.	
Oath of office.	
Certificate of appointment or election.	A majority of the members of such association shall have power to adopt a constitution and by-laws for their government; and may elect or appoint such officers as they may deem proper, who shall hold their office during the term provided for by the constitution and by-laws thereof, and who shall perform the duties required of them by said constitution and by-laws, and the provisions of this act; and the presiding officer of any such association or corporation may administer the proper oaths of office to any of its officers or members, and certify the appointment or election thereof under the seal of said corporation, and the officers or members of said association or corporation, upon the proper certificate of the presiding officer thereof, when so elected or appointed, shall have full power and authority, when a felony has been committed, to pursue and arrest, without warrant, any person or persons whom they believe or have reasonable cause to believe is guilty of the offense, and arrest and detain such alleged criminal or criminals in any county in the state to which they may have fled, and return such accused person or persons to any officer of the county in which the offense was committed, and there detain such accused person or persons until a legal warrant can be obtained for his or their arrest.
Powers of officers and members.	
Assessments.	
Indemnity for losses.	SECTION 3. Any such association may make and collect from its members such assessments as may be authorized by its constitution or by-laws, and may, if so provided in its constitution, indemnify its members for losses caused by horse-thieves or other felons, and expend such moneys as may be deemed necessary in the pursuit and arrest and procuring the conviction of felons.
Expenditures.	
Reimbursement of expenses by county.	SECTION 4. Upon the apprehension and conviction of any such horse-thief or other felon by any such association, the commissioners of the county in which the criminal [crime?] was committed, may reimburse said association in any sum, not exceeding one hundred dollars, for necessary expenses, not otherwise provided for by law, incurred in the apprehension and conviction of such criminal.
	SECTION 5. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1129].

AN ACT

To provide for competent and non-partisan public library boards in cities of the second class, second grade.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any city of the second class, second grade, the city board of education may elect by ballot a special board of six competent persons, residents of said city or school district, to be called the library board, who shall have the control and management of the public library of said city.

Dayton public library board: election of.

SECTION 2. That the six members of said library board shall be selected equally from the two political parties having the largest representation in the city board of education, and shall be elected as follows: Two for a term of one year, two for two years, and two for three years; at the end of the first year, two shall be annually elected, who shall hold office for a term of three years.

Board equally divided politically.

Terms of members.

SECTION 3. That the said library board shall have power to purchase books, magazines and other proper supplies for said library, and employ a librarian and assistant, who shall be elected annually; and the vouchers for such expenditure and salary account shall be certified to by said board of education for payment.

Powers of board.

SECTION 4. That said library board shall be required to report fully their proceedings and expenditures at least once a year, to the board of education of said city, and annually report to said board of education an estimate of the expenses of said library for the succeeding year, and in no case shall such expenses be allowed to exceed the appropriation therefor by said board of education.

Annual report.

SECTION 5. That the president of said city board of education shall be ex-officio a member of such library board, and have the right to preside at the meetings.

Ex-officio member and president of board.

SECTION 6. That whenever a library board shall be elected pursuant to the provisions of this act, the board of education of such city shall have the power to levy annually for library purposes a tax not exceeding two and one-half tenths of a mill per dollar of city valuation, to be certified according to law, as other levies.

Annual tax.

SECTION 7. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1100].

AN ACT

To amend section 2141 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2141 of the Revised Statutes, as amended February 27, 1885, be amended so as to read as follows;

Toledo police commissioners to act as board of health.

SEC. 2141. In cities of the third grade of the first class, there shall be no board of health, but the board of police commissioners in such cities shall exercise all the powers and perform all the duties of the boards of health and mayors as provided in this chapter.

Columbus sanitary police abolished.

SECTION 2. Said section 2141, as amended February 27, 1885, be and the same is hereby repealed.

SECTION 3. This act shall take effect from the first day of May, A. D. 1887.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1070.]

AN ACT

To amend section four thousand nine hundred and forty of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four thousand nine hundred and forty of the Revised Statutes of the state of Ohio be amended so as to read as follows:

Construction of approaches to county bridges.

SEC. 4940. The commissioners of any county shall cause to be constructed without unnecessary delay, good and sufficient approaches or ways to bridges, which have been or may hereafter be erected by them; and they shall contract for the construction thereof in the same manner as provided by law for the contracting for the erection of bridges by county commissioners. And the commissioners of any county may contract for and purchase such stone, gravel, earth, dirt or other material as may be necessary for the construction of such approaches or ways to such bridges, or for keeping the same in repair; provided, that if the commissioners and the owner or owners of such stone, gravel, earth, dirt or other material, can not agree on a price deemed fair and reasonable,

Materials therefor.

like proceedings shall be had, and with like effect as are provided by law for the procurement of material by the commissioners in like cases under the two-mile assessment pikes law, and the cost of constructing such approaches and procuring such material shall be paid from the bridge fund of the county, on the order of the commissioners; but the trustees of the several townships shall cause to be built and kept in repair all bridges and culverts, except upon improved and free turnpike roads, where the cost of construction does not exceed fifty dollars (\$50). And they are authorized to levy a tax for the payment of the same.

Duty of township trustees.

SECTION 2. Said original section 4940 is hereby repealed; and this act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill, No. 1149].

AN ACT

To amend section one of an act supplementary to an act relating to soldiers' memorial associations, passed April 2, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one (1) of an act supplementary to an act relating to soldiers' memorial associations, passed April 2, 1884, be and the same is hereby amended to read as follows:

Soldiers' memorial and cemetery associations.

SEC. 1. That it shall be lawful for any association or corporation, organized or incorporated under any law of this state, relative to soldiers' memorial associations, or monumetal building associations, or cemetery associations or corporations, to acquire, use and occupy for the purposes intended or declared by such association or corporation, any real estate which has been acquired by, donated to, or which may hereafter be acquired, purchased, or donated to such corporation or association, which, in the opinion of the trustees, directors, or managers of such association or corporation, may be necessary and proper to carry out the object intended for such association or corporation.

May acquire, use and occupy real estate.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 971].

AN ACT

To provide for the support of certain orphans of deceased soldiers and sailors outside of the Ohio soldiers' and sailors' orphans' home.

Providing for support outside of children entitled to admission to O. S. & S. O.

SECTION 1. *Be it enacted, by the General Assembly of the State of Ohio*, That the trustees of the soldiers' and sailors' orphans' home are hereby authorized to contract, at a per capita not to exceed the current expense cost of supporting the children at the Xenia home, with the proper officers of any of the children's homes authorized by the laws of Ohio, in this state, for the support of such children as are by existing laws entitled to admission to the Xenia home; and the trustees, in providing for such children under the provisions of this act, shall provide in all such contracts for having the right to visit and examine into the condition and treatment of said children in such homes.

Repeal.

SECTION 2. That the act entitled "an act to provide for the support of soldiers' and sailors' orphans outside of the soldiers' and sailors' orphans' home in Xenia," passed April 13, 1880, (vol. 77, O. L., p. 187), as amended April 20, 1881, (vol. 78, p. 201), be and the same is hereby repealed; provided, that nothing in this section shall operate to impair any rights to the appropriations made in said repealed act which have accrued heretofore; and this act shall take effect on its passage.

Proviso.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 21, 1887.

[House Bill No. 357].

AN ACT

To further define the duties of executors and administrators with will annexed.

Executors and administrators with will annexed:

Powers of during contest of the will.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following be enacted as supplementary to section 6019 of the Revised Statutes:

SEC. 6019a. Whenever a will is contested, the executor or the administrator, or administratrix de bonis non, with the will annexed, shall have power, during the contest of said will, to control all the real estate not specifically devised, included in said will, and all the personal estate of said testator, not before said contest duly administered; to collect the debts,

and convert all assets into money, except such as may be specifically bequeathed; to pay all taxes on said real and personal property, and all debts according to law; and, whenever necessary to preserve said real property from waste, to repair buildings and other improvements, and insure the same, upon an order therefor first obtained from the probate court having jurisdiction of such executor or administrator; and for such repairs, taxes and insurance, to advance or borrow money on the credit of such estate, which shall be a charge thereon; and shall also have power to receive and receipt for any distributive share of any estate or trust to which such testator would have been entitled, if living. The probate court may require such additional bonds as from time to time may be proper.

Additional
bond.

SECTION 2. That this act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 796].

AN ACT

To authorize certain persons to fence up improved roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any person or persons owning land in any county within the state of Ohio, having at the last federal census 26,267 inhabitants, through or along the line of any road improved under the one or two mile assessment plan, or turnpike, [which] is or may hereafter be located, may, upon the consent of the county commissioners of their respective counties, when it will not interfere with public travel, nor decrease the width of such road below thirty feet, set their fence enclosing said road so as to enclose the ditches or drains along said road within their enclosure; provided, any person setting their fence out as above provided shall keep the ditches or drains in good repair at their own expense, and all such fences shall be straight.

Logan
county:

Owners of
land abutting
may fence off
ditches along
improved
roads, when.

Repair.

SECTION 2. Any person failing to keep said ditches or drains in good repair, as ordered by the commissioners of their respective counties, shall pay the expense of the same and forfeit the right to keep such fence on the outside of said ditch or water-courses.

Failure to
keep ditches
in repair;
penalty.

SECTION 3. This act shall take effect on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1152].

AN ACT

To amend an act entitled an act to provide for the improvement of streets and alleys in cities of the first grade of the second class.

Columbus: inapplicability of statute to street improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2270 of the Revised Statutes of Ohio, as amended April 25, 1885, (82 v, p. 155), shall not apply to any improvement ordained to be made under an act to provide for the improvement of streets and alleys in cities of the first grade of the second class, passed May 11, 1886.

SECTION 2. This act shall take effect from its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 873].

AN ACT

To amend section four (4) and to repeal section five (5) of an act, passed March 19, 1868, to change the sub-division of the second judicial district, and to provide for the election of an additional judge in the first sub-division.

Second judicial district:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4 of the said original act, passed March 13, 1868, be so amended as to read as follows:

Election of additional judge.

SEC. 4. The first election for such additional judge, after the passage of this act, shall be held on the first Tuesday after the first Monday of November. The term of office of such additional judge shall begin on the second Monday of May following such election, and such additional judge shall hold his office for a term of five years, and until his successor is elected and qualified.

Repeal.

SECTION 2. That said original sections four (4) and five (5) of said original act are hereby repealed.

SECTION 3. This act shall take effect and be in force from its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1066].

AN ACT

Making appropriations to meet deficiencies and pay liabilities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and are hereby appropriated out of any moneys in the state treasury to the credit of the general revenue fund, and not otherwise appropriated, the following sums of money to pay deficiencies and liabilities, as hereinafter particularly mentioned, to-wit:

Appropriations to meet deficiencies and pay liabilities.

Adjutant-General's Department:

Expenses of Ohio national guard, on orders at Cincinnati, to prevent riot in May, 1886, ten thousand two hundred and seventy dollars and twenty-two cents (\$10,270.22).

Pay of Ohio national guard in camp, in 1886, twelve thousand one hundred and seventy-six dollars (\$12,176).

Subsistence of Ohio national guard in camp, in 1886, two thousand nine hundred and twelve dollars and forty-nine cents (\$2,912.49).

Transportation of Ohio national guard in camp, in 1886, two thousand six hundred and fifty-five dollars and forty-nine cents (\$2,655.49).

Horse hire for batteries in camp, in 1886, one thousand seven hundred and forty dollars and seventy-five cents (\$1,740.75).

To pay John Conroy for loss of horse while in use of battery H, first regiment, L. A. O. N. G., July 26, 1886, during the annual encampment at Springfield, Ohio, one hundred and fifty dollars (\$150.00).

Forage for battery horses in camp, in 1886, three hundred and twenty-two dollars and forty-eight cents (\$322.48.)

Preparing roster of Ohio soldiers for publication, eight hundred and ninety dollars and seventy cents (\$890.70).

For four transcribing clerks, fifty-six dollars and sixty cents, (\$56.60).

Care of military stores and freight on arms, one hundred and forty-two dollars and thirty-four cents (\$142.34).

For Thomas O'Neill, two hundred and fifteen dollars (\$215), and J. W. McClay, thirty-five dollars (\$35), in pursuance of an act of the general assembly of February 3, 1887.

For uniforms for company D, eighth regiment, (Wooster city guards), one hundred and twenty dollars (\$120).

State House and Grounds:

Materials for and repairs of state house, five hundred and ninety-nine dollars and fifty-four cents (\$599.54).

Extra labor at state house, nine hundred and forty-four dollars (\$944).

Care and repair of heating apparatus in state house, eighty one dollars and fifty cents (\$81.50).

Paving High street from Broad street to State street, in Columbus, seven thousand three hundred and twenty-nine dollars and sixty-three cents (\$7,329.63).

Repairing State street from High street to east side of city hall lot, in Columbus, thirty-four dollars and thirty-seven cents (\$34.37).

Constructing pavement on west side of Scioto street, from Main to Mound, in Columbus, one hundred and eighteen dollars and sixty cents (\$118.60).

Attorney-General:

For contingent expenses, seventy dollars and sixty-four cents (\$70.64).

For fees of attorneys, two hundred and fifty dollars (\$250).

For rugs for office, one hundred and twenty-six dollars (\$126).

Auditor of State:

For contingent expenses, eighty-two dollars and three cents (\$82.03).

Shelving and cases, thirty-two dollars and eight cents (\$32.08).

Board of Public Works:

Salaries of engineers, two hundred and seventy-seven dollars and fifty-six cents (\$277.56).

For Chillicothe foundry and machine shops, to pay claim for repairing dredging machine, one hundred and ten dollars and seventy-nine cents (\$110.79).

For repairs on the Walhonding canal, twenty-one hundred and fifty-four dollars and sixty-two cents (\$2,154.62).

For Muskingum improvement, one thousand six hundred and seventy-one dollars and thirty-seven cents [\$1,671.37].

For salary of members of the board of public works from February 9 to 16, twenty-one days, forty-six dollars and 29-100 (\$46.29).

Executive Department:

For contingent expenses, four hundred and one dollars and eighty-one cents (\$401.81).

Commissioner of Common Schools:

For contingent expenses, seventy-nine dollars and ten cents (\$79.10).

Traveling expenses, one hundred and fifty-five dollars and twenty-five cents (\$155.25).

Cleveland Asylum for the Insane:

For carpets, four hundred and twelve dollars and seventy-three cents (\$412.73).

Books and pictures, thirty-four dollars and forty-three cents (\$34.43).

Columbus Asylum for the Insane:

For ordinary repairs, three thousand five hundred and twenty-eight dollars and thirty-six cents (\$3,528.36).

Laundry, three hundred and twenty-five dollars (\$325),

Athens Asylum for the Insane:

For ordinary repairs, one thousand and sixty-six dollars and forty-one cents (\$1,066.41).

Superintendent of Insurance:

Contingent expenses, six hundred dollars (\$600).

Extra clerks, thirty-three dollars and seventy-five cents (\$33.75).

Supreme Court:

Contingent expenses, sixty dollars (\$60).

Boys' Industrial School:

For purchase of stock, twenty-six dollars (\$26).

Girls' Industrial Home:

For salaries of officers, and teachers, four hundred and twenty-one dollars and fifty-two cents (\$421.52).

Institution for Feeble-minded Youth:

For salaries of officers, three hundred and fifty-five dollars and ninety-nine cents (\$355.99).

Institution for the Deaf and Dumb:

For ordinary repairs, sixty-four dollars and sixty-one cents (\$64.61).

Legislature:

Expenses of legislative committees, six hundred and ninety-eight dollars and forty cents (\$698.40).

Ohio Soldiers' and Sailors' Orphans' Home:

For current expenses, one thousand five hundred and fifty-six dollars and eighty-nine cents (\$1,556.89).

Ordinary repairs, one hundred and seventy-one dollars and sixty cents (\$171.60).

Furniture and carpets, one hundred and forty-three dollars and fifty cents (\$143.50).

New industrial building, three hundred and seventy-five dollars (\$375).

Toledo Asylum for the Insane:

For trustees' expenses, eight hundred and eighty-five dollars and fifty-four cents (\$885.54).

Current expenses, three hundred and thirty-six dollars and forty-five cents (\$336.45).

Salaries of officers, two hundred and fifty dollars (\$250).

Institution for the Blind:

For trustees' expenses, one hundred and sixty-four dollars (\$164).

Ohio Penitentiary:

For salaries of managers, eight hundred dollars (\$800).

Rewards to convicts, two thousand nine hundred and ten dollars and twenty-five cents (\$2,910.25).

Ordinary repairs, one thousand five hundred and twenty-nine dollars and sixty-eight cents (\$1,529.68).

Carpets, one hundred and ten dollars and fifty-seven cents (\$110.57).

Building new and rebuilding old workshops, three thousand two hundred and three dollars and six cents (\$3,203.06).

Salaries of guards, five hundred and fourteen dollars and ninety-eight cents (\$514.98).

Current expenses, two thousand two hundred and thirty-two dollars and twenty-nine cents (\$2,232.29).

Prosecution and transportation of convicts, six hundred and forty-three [dollars] and sixty-five cents (\$643.65).

Dayton Asylum for the Insane:

For current expenses, one thousand seven hundred and seventy dollars and eighty-six cents (\$1,770.86).

Ohio Dairy and Food Commissioner:

For salary of commissioner, one thousand one hundred and thirty-five dollars and fifty-four cents (\$1,135.54).

Expenses of commissioner, one hundred and forty-one dollars and eighty-seven cents (\$141.87).

Salaries of assistant commissioners, one thousand four hundred and forty-six dollars and seventy-two cents (\$1,446.72).

Expenses of assistant commissioners, seven hundred and ten dollars and seventy-two cents (\$710.72).

(Compensation of expert, four hundred and sixty-five dollars (\$465).

State Library :

For books, papers and magazines, one hundred and thirty-two dollars and sixty-seven cents (\$132.67).

Contingent expenses, twenty-five dollars and fifty-three cents (\$25.53).

Supervisor of Public Printing :

For state printing, three thousand one hundred and eighty-five dollars and seventy-six cents (\$3,185.76).

State binding, one thousand three hundred dollars and sixty-three cents (\$1,300.63).

Inspector of Mines :

Traveling expenses of district inspectors, fifty-nine dollars and seventy-two cents (\$59.72).

Miscellaneous :

For assistant for Fred. Blankner, third assistant sergeant-at-arms, in the care of senate chamber and hall of the house after the adjournment of the general assembly in 1886 seventy dollars (\$70).

Columbus, Hocking Valley & Toledo railroad company, balance for transporting children and employes of Toledo house of refuge to Lancaster, thirty-six dollars (\$36).

Percentage due on moneys collected and paid into the state treasury on war claims against the general government, four hundred and seventy-five dollars (\$475).

Board of state charities, for reports of national conference, fifty dollars (\$50).

For House committee expenses, forty dollars and seventy cents (\$40.70).

To pay balance of commissions due to W. O. Tolford, agent of Ohio state war claims, for collection of one hundred and thirty-eight thousand six hundred and nineteen dollars and ninety-four cents (\$138,619.94), forty-one hundred and fifty-eight and 51-100 dollars [\$4,158.51].

Expenses senate investigating committee under senate

resolution No. 29, adopted February 4, 1886, one hundred and forty-four and 47-100 dollars (\$144.47).

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 933].

AN ACT

To amend sections 1, 6 and 7 of an act passed May 17, 1886, (O. L. pages 178, 179 and 180, v. 83), to prevent adulteration and deception in the sale of dairy products.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1, 6 and 7 of the above named act, passed May 17, 1886, (pages 178, 179 and 180, O. L., vol. 83), be amended so as to read as follows:

Restrictions
on sale of ar-
tificial dairy
products.

SEC. 1. That no person shall sell, expose or offer for sale or exchange, any substance purporting, appearing, or represented to be butter or cheese, or having the semblance of either butter or cheese, which substance is not made wholly from pure milk, or cream, salt and harmless coloring matter, unless it is done under its true name, and each vessel, package, roll or parcel of such substance has distinctly and durably painted, stamped, stenciled or marked thereon the true name of such substance in ordinary bold faced capital letters, not less than five line pica in size, and also the name of each article or ingredient used or entering into the composition of such substance, in ordinary bold faced letters, not [less] than pica in size, or sell or dispose of in any manner to another any such substance without delivering with each amount sold or disposed of, a label on which is plainly or legibly printed in ordinary bold faced capital letters, not less than five line pica in size, the true name of such substance, and also the name of such articles used and entering into the composition of such substance in ordinary bold faced letters, not less than pica in size, if the same be not made wholly from pure milk, or cream, salt and harmless coloring matter; and the words "butter," "creamery," or "dairy," or any word or combination of words embracing the same, shall not be placed on any vessel, package, roll or parcel containing any imitation dairy product or substance not made wholly from pure milk, or cream, salt, and harmless coloring matter.

SEC. 6. Every person in this state, who shall deal in, keep for sale, expose or offer for sale or exchange, any substance other than butter or cheese made wholly from pure milk or cream, salt and harmless coloring matter, which appears to be, resembles, or is made in imitation of, or as a substitute for butter or cheese, shall keep a card, not less in size than eight by ten inches, in a conspicuous and visible place, to the satisfaction of the state dairy and food commissioner or assistant commissioner, where the same may be easily seen and read in the store, room, stand, booth, wagon or place where such substance is, on which card shall be printed on a white ground, in bold faced roman letters, not less in size than twelve line pica, the words "oleomargarine" or "imitation cheese," (as the case may be), "sold here," and said card shall not contain any other words than the ones above prescribed; and no person shall sell any oleomargarine, suine, imitation cheese, or other imitation dairy product, at retail or in any quantity less than the original package, tub or firkin, unless he shall first inform the purchaser that the substance is not butter or cheese, but an imitation of the same.

Card to be displayed by dealers.

Sale of less than original package.

SEC. 7. Every proprietor, keeper, or manager, or person in charge of any hotel, boarding house, restaurant, eating house, lunch counter, or lunch room, who therein sells, uses, or disposes of any substance which appears to be, resembles, or is made in, or as an imitation of, or is made as a substitute for butter or cheese, under whatsoever name, and which substance is not wholly made from pure milk or cream, salt and harmless coloring matter, shall display and keep a card in a conspicuous place, to the satisfaction of the [state] dairy and [food] commissioner or assistant commissioner, where the same may be easily seen and read in the dining, eating, restaurant and lunch room, and place where such substance is sold, used or disposed of, which card shall be white and in size not less than eight by ten inches, upon which shall be printed in plain, bold black roman letters, not less in size than twelve line pica, the words, "oleomargarine sold and used here," or, "imitation cheese sold and used here," (as the case may be), and such proprietor, keeper, manager, or person in charge, shall not sell, furnish or dispose of such substance as and for "butter and cheese," made from pure milk or cream, salt and harmless coloring matter, when butter or cheese is asked for.

Use or sale of in hotels, &c.

Card to be displayed.

SECTION 2. That sections 1, 6 and 7 of the above named act be and the same are hereby repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 21, 1887.

AN ACT

To amend sections 3885 and 3886 of the Revised Statutes of Ohio, and section 3897 of the Revised Statutes of Ohio, as amended January 21, 1885, and section 3898 of the Revised Statutes of Ohio.

School districts :

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 3885 and 3886 of the Revised Statutes of Ohio, and section 3897, as amended January 21, 1885, and section 3898 of the Revised Statutes of Ohio, be so amended as to read as follows :

Classification of.

SEC. 3885. The state is hereby divided into school districts, to be styled, respectively, city districts of the first grade of the first class, city districts of the second grade of the first class, city districts of the first class, city districts of the second class, village districts, special districts and township districts.

City districts :

First grade,
first class.

SEC. 3886. Each city having a population of two hundred and fifty thousand or more by the last preceding census of the United States, including the territory annexed to it for school purposes, and excluding the territory detached from it for school purposes, shall constitute a city district of the first grade of the first class ; each city having a population of one hundred and fifty thousand or more, and less than two hundred and fifty thousand, by the last preceding census of the United States, including the territory annexed to it for school purposes, shall constitute a city district of the second grade of the first class ; and each city having a population of ten thousand and less than one hundred and fifty thousand by the last preceding census of the United States, including the territory annexed to it for school purposes, and excluding territory detached from it for school purposes, shall constitute a city district of the first class.

Second grade,
first class.

First class.

Board of education in city district, first grade, first class : election of members : their terms of office.

SEC. 3897. In city districts of the first grade of the first class, the board of education shall consist of one member from each ward, and each member of the board shall be an elector of the ward, or of the township, or part of the township, which, for school purposes, has been or may be attached to such ward, for which he is elected or appointed ; provided, that [in] city districts of the first grade of the first class, beginning with the annual election for city officers held in April, 1887, one member shall be elected from each ward having an even numerical designation, or from territory attached for school purposes to such ward having an even numerical designation, as above provided, who shall serve for the term of one year, and that at the annual election for city officers held in April, 1887, one member shall be elected from each ward having an odd numerical designation, or from territory attached for school purposes to such ward having an odd numerical designation as above provided, who shall serve for a term of two years, and annually thereafter as the term of members elected by said ward, or ward with territory attached for school purposes, as above provided, shall expire, successors

shall be elected to hold for the term of two years; and if any person elected a member of said board shall, during his term as said member, move out of the ward for which he was elected, then his term shall cease and determine, and said board shall elect a person to fill the vacancy; the members elected under this act shall hold office until their successors are elected and qualified; provided, that the board of education established by this act shall be in all respects the successors of the respective board whose place they take; but the members of such board of education shall not, as individuals or as local committees, exercise supervisory authority over the schools in the several wards or districts, or have the selection or nomination of teachers. The superintendent of the public schools of said city district of the first grade of the first class shall appoint all the teachers of said schools by and with the consent of the board of education, and the superintendent or the board of education may remove for cause; and provided further, that when a new or additional ward shall be created in such city district, the board of education shall proceed to elect a person who is an elector of such additional ward, or of territory thereto attached for school purposes, as a member of the board from such ward, to serve until the next annual election for city officers, at which annual election the qualified electors of each such new wards, and the territory annexed thereto for school purposes, shall elect one judicious and competent person, having the qualifications of an elector of such ward or territory thereto attached for school purposes, to serve as a member of the board of education; provided, that if such new wards have an even numerical designation, the member so elected, as provided above, shall serve until the expiration of the term of other members who are or have been elected from wards having an even numerical designation, and if such new ward have an odd numerical designation, the member so elected, as provided above, shall serve until the expiration of the term of other members of said board, who are or have been elected from wards having an odd numerical designation; and annually thereafter, as the term of members so elected, as above provided, shall expire, successors shall be elected, who shall serve for the term of two years, and until the election and qualification of their successors.

Vacancy by removal.

Appointment and removal of teachers.

New wards.

SEC. 3898. In each city district of the first class, and not of the first or second grade, the board of education shall consist of two members from each ward, except in city districts organized under a law providing for one member only for each ward, in which districts the board may, at any time, by a vote of the majority of all its members, provide that thereafter each ward shall be represented by two members, and thereupon proceed to choose one additional member for each ward, to serve until the next annual election for city officers, and until the election and qualification of his successor; and each member of the board shall be an elector of the ward for which he is elected or appointed; and at every annual election for city officers in a city which constitutes

Board of education in city districts, first class: election and term of members.

Board of education in city districts, first class.

districts of the first class, wherein the board consists of two members for each ward, there shall be elected in each ward, by the qualified electors thereof, one judicious and competent person to serve as a member of the board of education of the districts for two years, from the third Monday of April succeeding his election, and until the election and qualification of his successor; provided, that at the annual election for city officers, held first after a city has been constituted a city district of the first class, with a board to consist of two members from each ward, there shall be elected in each ward of such city, by the qualified electors of such ward and of said district entitled to vote in such wards, two persons of the required qualifications to serve as members of the board of education of such districts, one for one year and the other for two years from the third Monday of April succeeding their election, and until the election and qualification of their successors; and provided, that any elector residing in such district, but not in any ward of such city, shall, if the territory containing his residence has not been attached to any ward for school purposes, as provided in section thirty-nine hundred, be entitled to vote for members of the school board in the ward nearest his residence; and in such case a separate ballot-box and poll-book shall be provided and used, as required in section thirty-nine hundred and two, in each ward where any such elector may be entitled to vote; when the board of education in such city district of the first class consists of as many members as there are wards, there shall be elected at the annual election for city officers in the year eighteen hundred and eighty, and every two years thereafter, in each ward designated by an even number, and in the year eighteen hundred and eighty-one, and every two years thereafter, in each ward designated by an odd number, by the qualified electors thereof, one member of the board, who shall hold his office for two years, and until the election and the qualification of his successor.

SECTION 2. That sections 3885 and 3886 of the Revised Statutes of Ohio, and section 3897 of the Revised Statutes of Ohio, as amended January 21, 1885, and section 3898 of the Revised Statutes of Ohio, be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1111].

AN ACT

To amend sections 4919 and 4920 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 4919 and 4920 of the Revised Statutes of Ohio be so amended as to read as follows:

SEC. 4919. When any one or more of the principal highways of any county, or any part thereof, have been destroyed or damaged by freshet, land-slide, wear, or water-courses, or any other casualty, or by reason of the large amount of traffic thereon, or from neglect or inattention to the repair thereof, have become unfit for travel, or cause difficulty, danger or delay to teams passing thereon, and the commissioners of such county are satisfied that the ordinary levies authorized by law for such purposes will be inadequate to provide money necessary to repair such damages or to remove obstructions from or make the changes or repairs in such road or roads as are rendered necessary from the causes herein enumerated, said commissioners may annually thereafter, levy a tax at their June session, of any sum not exceeding five mills upon the dollar upon all taxable property of the county, to be expended under their direction in such manner as may seem to them most advantageous to the interest of the county, for the construction, re-construction or repair of such road or roads, or any part thereof.

Tax to repair
damaged
highways.

SEC. 4920. To anticipate the receipts which may come into the county treasury by virtue of such tax, the commissioners may borrow, from time to time, such sums of money as shall not exceed in the aggregate four-fifths of the tax levied; but the money so borrowed in any one year shall not exceed four-fifths of the taxes levied in such year, and shall be paid, with lawful interest, at the county treasury, out of the taxes so levied. In addition to the power to borrow money, as herein granted, said commissioners are authorized, upon the written petition of one or more persons interested, describing the road or part thereof proposed to be improved, to contract in writing with any person or persons living upon or near or owning land abutting upon any such road within the county, to improve such part of such road as may be described in said petition within such time and in such manner, and for such compensation, payable as hereinafter provided and not otherwise, as said commissioners may direct; and as soon as such road or part thereof is fully improved and completed to the satisfaction of said commissioners, they shall give to the person, his administrator or executor, with whom they have contracted to repair the same, a certificate, specifying the amount of compensation due for work performed under said contract, stating when authority was given for the improvement of such road, and when the same was completed and accepted by the commissioners. In case of any dispute between the person or persons making such improvement and the commis-

Such tax may
be antici-
pated.

Contract to
improve
parts of road.

Certificate of
amount of
compensa-
tion due.

Rights of
holder of cer-
tificate.

sioners, the judgment of the commissioners therein shall be final. The holder of such certificate shall be entitled to have the amount of compensation therein specified credited on any road tax levied on the property of such person situate within the township within which such road or part of road may have been improved, as aforesaid. If such road tax levied in any one year on such property is not sufficient to cover the amount named in the certificate, the same shall, in like manner, be so credited from year to year until the certificate is fully paid without interest. And until such certificate shall be paid in full, the county auditor shall issue, each year on demand, to the holder of such certificate, a warrant, addressed to the treasurer of the county, specifying the amount of road tax which is chargeable against the property of the holder of such certificate, in such year, in said township, and directing the treasurer to receive the same as cash in payment of such road tax. And the holder of such certificate may transfer the same and any balance due thereon, to any subsequent purchaser of the property owned by him in such township, when such certificate was issued.

SECTION 2. Sections 4919 and 4920 be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1080].

AN ACT

To amend section 2919 of the Revised Statutes of Ohio, as amended May 17, 1886, (88 v. 190), and to amend section 2919b, as passed the same date, relating to primary elections and supplementary thereto.

Primary elec-
tions :

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2919 of the Revised Statutes of Ohio be and the same is hereby amended so as to read as follows :

Oath of super-
visor.

SEC. 2919. The person named in the notice as supervisor, or in his absence, or refusal to serve, the person assuming or chosen by the electors present to be such supervisor, shall take an oath that he is a legal voter at such poll, that he will correctly and faithfully conduct such election, protect it against all frauds and unfairness, and carefully and truly canvass all votes cast thereat in the manner required by the authority appointing the election; and thereupon the supervisor shall cause the electors present, possessing the qualifications of per-

sons entitled to vote under the notice, to choose two judges and two clerks of elections to assist him in receiving and taking account of the votes cast, to each of whom shall be administered the same oath taken by the supervisor; and a township trustee or clerk, or an alderman, a member of council, trustee or clerk of a municipal corporation, or a supervisor of election, who has been duly sworn, may administer the oath prescribed in this section; provided, that in cities of the first grade of the first class the judges and clerks of the respective political parties who have been appointed judges and clerks of elections in such cities by the board of elections thereof, shall serve as judges and clerks at all primary elections held by the respective parties in such city during their term of office. The members of the board of elections in cities of the first grade of the first class representing their respective political parties, shall, on or before the first day of October, in the year 1887, and every year thereafter, appoint a judge of primary elections for each and every precinct in their city where their political party has but one judge of election; the judge of primary elections so appointed shall serve for the term of one year from the first day of November next succeeding his appointment, and such judge of primary elections, with the judge and clerk of elections above mentioned, shall serve as judges and clerks respectively at all primary elections of such political party which may be held during their term of office. And it shall be the duty of such judges and clerks under the direction of the said board of elections to conduct such primary elections in the manner provided in sections 2926*f*, 2926*n*, 2926*o* and 2926*p* for general elections, so far as the provisions of said sections are applicable, except as to the issuing of certificates or summary statements of the election, which shall be issued to the candidates for delegates to the convention, and to ward officers of any description receiving the highest number of votes. They shall also prepare and sign a certificate of the total number of votes received by the various candidates for delegates and alternates to a nominating convention and send it at once by a messenger to the chairman of said convention; the polling places shall be the same as at the general elections; and the penalties relating to delegates to any convention, and providing against fraudulent voting, in section 7039 to section 7066, inclusive, shall be enforced for the same offenses at primary elections. No delegate to any political convention shall have power, by proxy or otherwise, to designate another person to serve as a delegate in his place or stead; and any person elected by a primary meeting to serve as a delegate to a convention who shall give any power or proxy to another to serve in his place or stead, shall be guilty of a misdemeanor, and be fined in a sum not less than ten dollars nor more than twenty-five dollars for every such offense.

SECTION 2. That section 2919*b* of the Revised Statutes of Ohio, as passed May 17, 1886, be and the same is hereby amended to read as follows:

Judges and clerks; their oath.

In Cincinnati.

Appointment of judges for certain precincts.

Term.

Conduct of election.

Certificate of votes received.

Polling places; penalties.

Proxies unlawful in political conventions.

Failure of
judge or clerk
to serve; pen-
alty.

SEC. 2919b. Any judge or clerk refusing or failing to serve at a primary election as above required, shall be subject to the same fines and penalties as are now provided by law in section 2926e, fixing fines and penalties for judges and clerks who fail or refuse to serve at a general election in cities of the first grade of the first class.

SECTION 3. That said original sections 2919 and 2919b of the Revised Statutes be and the same are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1026].

AN ACT

Making appropriations for the last three quarters of the fiscal year ending November 15, 1887, and the first quarter of the fiscal year ending February 15, 1888.

General ap-
propriations.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and hereby are appropriated out of any moneys in the treasury to the credit of the general revenue fund, not otherwise appropriated, the following sums for the purposes hereinafter specified, to-wit:

Adjutant-General's Department:

Salary of superintendent of state arsenal, ordnance clerk and book-keeper, nine hundred dollars (\$900).

Contingent expenses and inspection of Ohio national guard, fifteen hundred dollars (\$1,500).

Transportation of indigent soldiers, fifty dollars (\$50).

Care of military stores and freight on arms, eight hundred dollars (\$800).

For court martial, five hundred dollars (\$500).

And for military code, three hundred dollars (\$300).

For making copy of soldiers' roster for publication, eight thousand dollars (\$8,000).

For publishing roster of Ohio troops, twenty-five thousand dollars (\$25,000).

For expense of shipping rosters of Ohio troops, including cases, drayage and freight, one thousand and ninety dollars (\$1,090).

Ohio National Guard:

Pay of Ohio national guard in camp, the duration of such encampment not to exceed six days, thirty-six thousand dollars (\$36,000).

Transportation of Ohio national guard, and freight on such arms as it may be necessary to send to the national armory for repairs, twelve thousand dollars (\$12,000).

Subsistence of Ohio national guard, twelve thousand dollars (\$12,000).

Incidental expenses of military companies, eleven thousand dollars (\$11,000).

Horse hire for batteries and mounted officers, three thousand [dollars] (\$3,000).

Uniforms for Ohio national guard, twelve thousand five hundred dollars (\$12,500).

Overcoats and blankets for Ohio national guard, five thousand dollars (\$5,000).

Forage for horses, five hundred dollars (\$500).

State House and Grounds:

Salary of janitor of flag-room, five hundred and twenty dollars (\$520).

Salary of visitors' attendant, five hundred and twenty dollars (\$520).

Extra labor, fifteen hundred dollars (\$1,500).

Material and repairs, one thousand three hundred dollars (\$1,300).

No deficiencies shall be created in any of the funds of the adjutant-general's department, or the department of the Ohio national guard, or the state house and grounds, unless for expenditures approved by the governor.

Attorney-General:

Contingent expenses, three hundred dollars (\$300).

Auditor of State:

Contingent expenses, eleven hundred dollars (\$1,100).

Carpets and furniture, three hundred dollars (\$300).

Attorneys' fees and expenses in bank cases, two thousand dollars (\$2,000).

Board of State Charities:

Expenses of board, four thousand dollars (\$4,000).

Commissioner of Statistics of Labor:

Clerk hire, eighteen hundred dollars (\$1,800).
 Contingent expenses, seventeen hundred dollars (\$1,700).
 Traveling expenses, three hundred dollars (\$300).

Agricultural Experiment Station:

Expenses of, fifteen hundred dollars (\$1,500).

State Board of Agriculture:

Building and improvement of state fair grounds, twenty-five thousand five hundred dollars (\$25,500).

Commissioner of Railroads and Telegraphs:

Experts to examine bridges, four hundred dollars (\$400).
 Expenses outside of office, two hundred and fifty dollars (\$250).
 Contingent expenses, three hundred dollars (\$300).

Commissioner of Common Schools:

Contingent expenses, four hundred and fifty dollars (\$450).
 Traveling expenses, five hundred and fifty dollars (\$550).
 Boxing and shipping reports, one hundred and fifty dollars (\$150).
 Painting and cleaning walls, and repairing cases, twenty-five dollars (\$25).
 For purchase of type-writer, one hundred dollars (\$100).

Executive Department:

Contingent expenses, clerk hire and newspapers, one thousand five hundred dollars (\$1,500).
 Furniture and repairs of same, fifty dollars (\$50).

Inspector of Mines:

Contingent expenses, two thousand five hundred dollars (\$2,500).
 Clerk hire, one hundred dollars (\$100).

Inspector of Workshops and Factories:

Traveling expenses of chief inspector, four hundred and fifty dollars (\$450).
 Traveling expenses of district inspectors, twelve hundred dollars (\$1,200).
 Contingent expenses, three hundred dollars (\$300).
 Clerk hire, eight hundred dollars (\$800).

Law Library:

Contingent expenses, one hundred dollars (\$100).
 Carpet for law library, one hundred and fifty dollars (\$150).
 Furniture and repairs, fifty dollars (\$50).
 Books for law library, one thousand dollars (\$1,000).
 Telephone, sixty dollars (\$60).
 Statutes of states, five hundred dollars (\$500).

Meteorological Bureau:

Current expenses, fifteen hundred dollars (\$1,500).

Ohio State University:

Ordinary repairs, two thousand five hundred dollars (\$2,500).
 Expenses of trustees, three hundred and seventy-five dollars (\$375).
 Improvement of campus, eight hundred dollars (\$800).
 Fuel and care of buildings, one thousand dollars (\$1,000).
 Care of green house, six hundred dollars (\$600).
 Library, one thousand dollars (\$1,000).
 Salaries of teachers, ten thousand dollars (\$10,000).
 Repairing gas works, two thousand dollars (\$2,000).

The Ohio University:

Expenses of trustees, two hundred dollars (\$200).
 Current expenses and repairs, five hundred dollars (\$500).
 Library and reading room, three hundred dollars (\$300).
 Additional apparatus, five hundred dollars (\$500).
 Salaries, five hundred dollars (\$500).
 For normal department, three thousand dollars (\$3,000).

Miami University:

Expenses of trustees, salary and expenses of secretary, eight hundred dollars (\$800).
 Repairs of buildings, five hundred dollars (\$500).
 Apparatus, two hundred and fifty dollars (\$250).
 Library, three hundred dollars (\$300).
 Salary of treasurer, three hundred dollars, (\$300).
 Care and improvement of campus, five hundred dollars (\$500).
 For printing, three hundred dollars (\$300).
 Salaries, fifteen hundred dollars (\$1,500).

Ohio Dairy and Food Commission:

Expenses of commissioner, six hundred dollars (\$600).
 Expense of assistant commissioner, twelve hundred dollars (\$1,200).
 Compensation of chemist, six hundred dollars (\$600).

Ohio Penitentiary:

Per diem of managers, three thousand dollars (\$3,000).
 Salaries of officers, nine thousand seven hundred dollars (\$9,700).
 Salaries of guards, sixty-eight thousand dollars (\$68,000).
 Current expenses, one hundred and fifteen thousand dollars (\$115,000).
 Manufacture of gas, four thousand dollars (\$4,000).
 Rewards to convicts, seven thousand five hundred dollars (\$7,500).
 Ordinary repairs, three thousand five hundred dollars (\$3,500).
 Water-works, two thousand five hundred dollars (\$2,500).
 Prosecution and transportation of convicts, eighty thousand dollars (\$80,000).

Intermediate Penitentiary:

For construction of Intermediate Penitentiary, fifty thousand dollars, (\$50,000).

Secretary of State:

Extra clerk hire, three hundred and fifty dollars (\$350).
 Furniture and repairs, one hundred and fifty dollars (\$150).
 Contingent expenses, seven hundred dollars (\$700).
 Distribution of books, nine hundred dollars (\$900).
 Stationery for legislature and departments of the state government, three thousand five hundred dollars (\$3,500).
 Printing paper, twenty-five thousand dollars (\$25,000).

State Library:

Books, magazines and papers, one thousand seven hundred dollars (\$1,700).
 Janitor, three hundred and eighty dollars (\$380).
 Contingent expenses, three hundred and fifty dollars (\$350).
 Matting, carpet cleaning and repairing carpet, one hundred and fifty dollars (\$150).

Treasurer of State:

Contingent expenses, three hundred and twenty dollars (\$320).
 Collecting auditor state's drafts, one thousand three hundred dollars (\$1,300).
 Alarm telegraph and telephone, fifty dollars (\$50).
 Cleaning carpets and painting, fifty dollars (\$50).

Superintendent of Insurance :

Salary of extra clerks, two hundred dollars (\$200).
 Contingent expenses, nine hundred dollars (\$900).
 Repairs and furniture, twenty-five dollars (\$25).

Supervisor of Public Printing :

State printing, thirty thousand dollars (\$30,000).
 State binding, twenty-five thousand dollars (\$25,000).
 Contingent expenses, one hundred dollars (\$100).

Supreme Court :

Contingent expenses, two hundred dollars (\$200).
 Furniture, repairs and cleaning, two hundred dollars (\$200).
 File case for consultation room, one hundred dollars (\$100).
 For putting two stoves in the supreme court room and an additional window in consultation room of the supreme court, and carpet for the said room, five hundred dollars (\$500).
 For type writer, one hundred dollars (\$100).

Reporter of Supreme Court :

Contingent expenses, one hundred dollars (\$100).

Athens Asylum for Insane :

Current expenses, eighty-five thousand dollars (\$85,000).
 Expenses of trustees, two hundred dollars (\$200).
 Books and pictures, one hundred and fifty dollars (\$150).
 Painting, one thousand dollars (\$1,000).
 Ordinary repairs, three thousand seven hundred and fifty dollars (\$3,750).
 Carpets and furniture, one thousand dollars (\$1,000).
 Slaughter house, pig pens and sheds for cattle, one thousand dollars (\$1,000).
 Fire escape for infirmary wards, three hundred and fifty dollars (\$350).
 Repairing, plastering and cementing basement, five hundred dollars (\$500).
 Repairing water closets, one thousand dollars (\$1,000).
 Window screens for new buildings, eight hundred dollars [\$800].
 Mangle and laundry machinery, five hundred and twenty-five dollars (\$525).
 Range for kitchen, one thousand dollars (\$1,000).
 For brick smoke-stack and sheet iron work, thirteen hundred dollars (\$1,300).

Cleveland Asylum for the Insane:

Current expenses, sixty-seven thousand dollars (\$67,000).
 Ordinary repairs, four thousand five hundred dollars (\$4,500).
 Expenses of trustees, three hundred dollars (\$300).
 Books and pictures, one hundred [and] fifty dollars (\$150).
 Horses, four hundred dollars (\$400).
 Fences, five hundred dollars (\$500).
 Carpets, eight hundred dollars (\$800).
 New furniture and repairing old, eight hundred dollars (\$800).
 Painting, one thousand dollars (\$1,000).
 Rebuilding drying room, one thousand dollars (\$1,000).
 Reconstructing two wards for hospital purposes, fifteen hundred dollars (\$1,500).

Columbus Asylum for the Insane:

Current expenses, one hundred and nineteen thousand five hundred dollars (\$119,500).
 Salaries of officers, four thousand one hundred and seventy-five dollars (\$4,175).
 Ordinary repairs, six thousand dollars (\$6,000).
 Expenses of trustees, one hundred and fifty dollars (\$150).
 Fencing, two hundred dollars (\$200).
 Repairs of gas works, two hundred dollars (\$200).
 Carpets, seven hundred dollars (\$700).
 Painting wards, eight hundred dollars (\$800).
 Furniture and bedding, five hundred dollars (\$500).
 Books and pictures for wards, three hundred dollars (\$300).
 Horses and harness, five hundred dollars (\$500).
 Painting amusement hall or chapel, five hundred dollars (\$500).
 Fire protection, five thousand dollars (\$5,000).
 New laundry, eight hundred and fifty dollars (\$850).
 For repair of boilers, eight hundred dollars (\$800).

Dayton Asylum for the Insane:

Current expenses, seventy-two thousand dollars (\$72,000).
 Salaries of officers, thirty-eight hundred dollars (\$3,800).
 Ordinary repairs, three thousand seven hundred dollars (\$3,700).
 Expenses of trustees, one hundred and fifty dollars (\$150).
 Books and pictures, one hundred and fifty dollars (\$150).
 Carpets and furniture, twelve hundred dollars (\$1,200).
 Painting, one thousand dollars (\$1,000).
 Horses and cows, four hundred dollars (\$400).
 Rent of pasture, one hundred and fifty dollars (\$150).
 Fencing, five hundred dollars (\$500).

New green house, in addition to amount appropriated May 11, 1886, fifteen hundred dollars (\$1,500).
Spring-wagon, one hundred and fifty dollars (\$150).

Toledo Asylum for the Insane:

For one bath-house, in addition to amount heretofore appropriated for that purpose, two thousand dollars (\$2,000).

For one barn and stable and hog-pen, in addition to amount heretofore appropriated for that purpose, one thousand five hundred dollars (\$1,500).

One root-cellar and storage-room, two thousand five hundred dollars (\$2,500).

One house for propagating flowers, one thousand dollars (\$1,000).

Repair shops and tools, three thousand dollars (\$3,000).

Telephone exchange, two thousand dollars (\$2,000).

Water-heaters and connections, two thousand dollars (\$2,000).

Trees and shrubbery, six hundred dollars (\$600).

Drive ways, fifteen thousand dollars (\$15,000).

Wooden fence, one thousand dollars (\$1,000).

Cisterns, one thousand dollars (\$1,000).

Tile drainage, three hundred dollars (\$300).

Stone side walks, six thousand dollars (\$6,000).

Grading, three thousand dollars (\$3,000).

Railroad track, two thousand five hundred dollars (\$2,500).

Fire department, one thousand dollars (\$1,000).

Furniture and furnishing, sixty thousand dollars (\$60,000).

Horses, carriages and wagons, four thousand five hundred (\$4,500).

Expenses of trustees, one thousand five hundred dollars (\$1,500).

Covering steam pipes, nine hundred dollars (\$900).

Current expenses, fifty thousand dollars (\$50,000).

Salaries of officers, five thousand dollars (\$5,000).

Library, one thousand dollars (\$1,000).

Pictures, five hundred dollars (\$500).

North-Western Ohio Hospital for the Insane:

Care of inmates under contract, nine thousand eight hundred and ninety-seven dollars and fifty cents (\$9,897.50).

Longview Asylum for the Insane:

Current expenses, seventy-five thousand dollars (\$75,000).

This sum is for the support of the insane in said institution, and shall be paid out in equal monthly installments, and said appropriation shall discharge the state from all legal and equitable obligations to said institution for the year commencing February 15, 1887, and ending February 15, 1888.

Boys' Industrial School:

Current expenses, twenty-seven thousand five hundred dollars (\$27,500).

Salaries of officers and teachers, seventeen thousand six hundred dollars (\$17,600).

Expenses of trustees, five hundred dollars (\$500).

Ordinary repairs, two thousand five hundred dollars (\$2,500).

Books for boys' library, two hundred dollars (\$200).

Rewards, six hundred dollars (\$600).

Furniture for boys' dormitories and dining-rooms, two hundred dollars (\$200).

Gravel on the road, five hundred dollars (\$500).

Furniture and carpets, eight hundred dollars (\$800).

Horses, three hundred dollars (\$300).

Completing blacksmith shops, five hundred dollars (\$500).

Completing bath-house, twelve hundred dollars (\$1,200).

Express wagon, two hundred and fifty dollars (\$250).

Cementing basements, five hundred dollars (\$500).

For pipe for water works, three thousand eight hundred dollars (\$3,800).

Girls' Industrial Home:

Current expenses, twenty thousand dollars (\$20,000).

Salaries of officers and teachers, twelve thousand four hundred and fifty dollars (\$12,450).

Expenses of trustees, two hundred dollars (\$200).

Library, two hundred dollars (\$200).

Ordinary repairs, five hundred dollars (\$500).

Furniture and carpets, one thousand dollars (\$1,000).

Grading and improving grounds, two hundred dollars (\$200).

Telephone, one hundred dollars (\$100).

Steam heating for new building, eighteen hundred dollars (\$1,800).

Musical instrument for chapel, one hundred and fifty dollars (\$150).

Furnishing new building, one thousand dollars (\$1,000).

New hospital, three thousand dollars (\$3,000).

Pictures and engravings, one hundred dollars (\$100).

Ohio Institution for the Blind:

Current expenses, twenty-five thousand dollars (\$25,000).

For salaries of officers and teachers, one thousand dollars (\$1,000).

Ordinary repairs, nine hundred dollars (\$900).

Boys' laboratory and water-closets, and opening entrance to tuning room, fifteen hundred dollars (\$1,500).

Steam pipe and heating apparatus, three hundred dollars (\$300).

Books and school apparatus, seven hundred dollars (\$700).
 Expenses of trustees, five hundred dollars (\$500).
 Painting, varnishing and paper-hanging, seven hundred and fifty dollars (\$750).

Horses, two hundred dollars (\$200).
 Carpets, bedding and furniture, one thousand dollars (\$1,000).

For care of grounds and repair of walks, five hundred dollars (\$500).

Institution for the Deaf and Dumb:

Current expenses, forty-three thousand three hundred dollars (\$43,300).

Salaries of officers and teachers, seventeen thousand dollars (\$17,000).

Foreman of shoe shop, one hundred dollars (\$100).

Foreman of printing office, one hundred dollars (\$100).

Ordinary repairs, three thousand dollars (\$3,000).

Expenses of trustees, three hundred and fifty dollars (\$350).

Painting, eight hundred dollars (\$800).

Lumber for repairing floors, six hundred and eighty-nine dollars and forty cents (\$689.40).

Furniture, two hundred and fifty dollars (\$250).

Carpets, one hundred and fifty dollars (\$150).

Supplies for printing office, four hundred dollars (\$400).

Supplies for shoe shop, one thousand dollars (\$1,000).

Supplies for carpenter shop, two hundred dollars (\$200).

Lumber and nails for boxes for state, six hundred dollars (\$600).

New pumps for engine house, eight hundred and seventy dollars (\$870).

Institution for Feeble-minded Youth:

Current expenses, sixty-nine thousand dollars (\$69,000).

Salaries of officers and teachers, eleven thousand dollars (\$11,000).

Ordinary repairs, four thousand dollars (\$4,000).

Expenses of trustees, four hundred and fifty dollars (\$450).

Two new hospital buildings, ten thousand dollars (\$10,000).

Dining-rooms and shops, fifteen thousand dollars (\$15,000).

Provided, that the exception granted to the penitentiary in section 782, Revised Statutes of Ohio, shall be extended to the institution for feeble-minded youth so far as relates to appropriations for two hospital buildings, dining-rooms and shops.

Furniture, carpets, etc., two hundred dollars (\$200).

Working Home for the Blind:

Expenses of trustees, three hundred dollars (\$300).

For current expenses, two thousand five hundred dollars (\$2,500).

Ohio Soldiers' and Sailors' Orphans' Home:

Current expenses, fifty-nine thousand five hundred dollars (\$59,500).

Salaries of officers and teachers, eleven thousand two hundred and fifty dollars (\$11,250).

Industrial pursuits, two thousand dollars (\$2,000).

Salaries of foremen of industrial pursuits, fifty-five hundred dollars (\$5,500).

Ordinary repairs, three thousand dollars (\$3,000).

Expenses of trustees, two hundred dollars (\$200).

Net earnings, one thousand three hundred dollars (\$1,300).

Library, one hundred and fifty dollars (\$150).

Board walks, one hundred and fifty dollars (\$150).

Repairs of chapel, four hundred dollars (\$400).

Support of orphans outside, fifteen thousand dollars (\$15,000).

Furniture and carpets, one thousand three hundred and fifty dollars (\$1,350).

Visiting county homes, one hundred dollars (\$100).

New bedsteads, five hundred dollars (\$500).

New horse stable, one thousand five hundred dollars (\$1,500).

Purchase of cows, one thousand five hundred dollars (\$1,500).

Heating and furnishing new industrial building, two thousand dollars (\$2,000).

For sewing machines for cottages, three hundred dollars (\$300).

Legislature:

For salaries of members of the general assembly, per diem of clerks, sergeants-at-arms, and employes, ten thousand dollars (\$10,000).

Senate clerk's contingent expenses, fifty dollars (\$50).

House clerk's contingent expenses, one hundred dollars (\$100).

House contingent expenses, four hundred dollars (\$400).

Senate contingent fund, one thousand dollars (\$1,000).

For chief clerks of the senate and house of representatives, one thousand dollars each (\$1,000) for completing the record of the journals of the senate and house of representatives, for the present session. The money thus appropriated to be paid at the rate of five dollars per day, as the work of completing said record progresses; but the full amount shall not be paid, until the work is fully completed; and the auditor of state is hereby authorized to draw his warrant, from time to time, on the treasurer of state in favor of said clerks, upon the presentation by them of proper vouchers, duly certified by said clerks to be correct, for such sum as may be therein designated, until the aforesaid sum of one thousand dollars to each, shall have been fully paid.

For cleaning and repairs of the senate chamber and hall of the house, and painting the ceilings of the same, to be done under the supervision of Frederick Blenkner, third assistant sergeant-at-arms of the house, and paid on the warrants of the auditor of state, five hundred dollars (\$500).

For Frederick Blenkner, third assistant sergeant-at-arms of the house, for taking charge of the senate chamber and hall of the house, and committee rooms after the adjournment of the general assembly in the spring of 1887, and taking care of the same until the meeting of the general assembly in January, 1888, and preparing the same for said meeting, and for taking charge of the bill-books and other property of the members as requested by them, one thousand dollars (\$1,000), to be paid to him at the rate of four dollars (\$4.00) per day, on the warrant of the auditor of state. For an assistant for said Frederick Blenkner, in the performance of the foregoing duties, at the rate of two dollars per day, when by him necessarily employed, four hundred dollars (\$400), to be paid to said assistant on the warrant of the auditor of state.

Fish and Game Commission:

Fish propagation, four thousand dollars (\$4,000).

Prosecutions of violations of fish and game laws, two thousand five hundred dollars (\$2,500), to be paid out on vouchers approved by the commission.

Miscellaneous:

Live stock commission, four thousand dollars (\$4,000).

For contingent, traveling, and other expenses of the commission to accept the William Allen statue, five hundred dollars (\$500); and there is hereby re-appropriated the sum of nine thousand five hundred dollars (\$9,500) for the payment for said statue.

To pay for oil portrait of Governor Foraker, five hundred dollars (\$500).

To pay for oil portrait of ex-President James A. Garfield, five hundred dollars (\$500).

State forestry bureau, five hundred dollars (\$500).

State board of health, three thousand dollars (\$3,000).

Ohio river commission, two hundred dollars (\$200).

Prosecution of war claims against the general government, two thousand one hundred dollars (\$2,100), and there is hereby appropriated any amount necessary to pay the percentage on any moneys collected and actually paid into the state treasury in accordance with the contract made under the act passed April 16, 1883.

Pension for family of J. P. Brush, seventy-four dollars and ninety-nine cents (\$74.99).

Board of Public Works:

Salaries of members of said board, two thousand and four hundred dollars (\$2,400).

Salaries of engineers, three thousand six hundred dollars (\$3,600).

Contingent expenses, five hundred dollars (\$500).

Fees of attorneys, five hundred dollars (\$500).

Furniture and carpets, two hundred dollars (\$200).

For keeping in repair and improvement of northern division of the Ohio canal, all of its earnings and twenty thousand dollars (\$20,000).

For dredge and boats, ten thousand dollars (\$10,000).

For keeping in repair the southern division of the Ohio canal, all of its earnings and thirty thousand dollars (\$30,000).

For keeping in repair the Hocking canal, all of its earnings.

For keeping in repair [the] Walhonding canal, all of its earnings.

For keeping in repair the Miami and Erie canal, all of its earnings.

For building of dredge and boats, ten thousand dollars (\$10,000).

For salary of secretary of board of public works, to be paid out of the earnings, fifteen hundred dollars (\$1,500).

For traveling expenses of each of the members of the board of public works for the year, to be paid out of the earnings, six hundred dollars (\$600).

Muskingum River Improvement:

To be paid to the United States government for the purpose of consummating the transfer of the Muskingum river improvement and properties, the sum of nine thousand dollars (\$9,000), or so much thereof as may be necessary to complete said transfer; provided, that the amount necessary shall be drawn by the governor of the state, and be paid to the proper officers of the United States, upon the full and final acceptance of said improvements and properties by the United States.

SECTION 2. The moneys appropriated in the last preceding section shall not be in any way expended to pay liabilities or deficiencies existing prior to February 15, 1887, nor shall they be used or paid out for purposes other than those for which said sums are specifically appropriated as aforesaid.

SECTION 3. In addition to the several appropriations made for the institutions for the insane, blind, deaf and dumb and feeble-minded youth, the girls' industrial home, the boys' industrial school, and soldiers' and sailors' orphans' home, there is hereby appropriated for the use of said institutions any moneys received from sources other than the state treasury, by their respective financial officers, which moneys shall be credited to the current expense funds of said institutions respectively.

SECTION 4. No bills for clerk hire, for furniture or carpets.

or for newspapers shall be paid out of appropriations made for contingent expenses; no bills for horses or cows, carriages or wagons, carpets or furniture, or any expenses for officers attending state, inter-state or national associations of benevolent institutions, or for salaries of the secretaries of the boards of trustees of any state institution, shall be paid out of appropriations made for the current expenses of said institution; and no money herein appropriated shall be drawn, except on a requisition on the auditor of state, approved by the head of each department, or the trustees of the institution, which shall set forth the service rendered or the material furnished and the date of purchase and the time of service, and it shall be the duty of the auditor of state to see that these provisions are complied with.

SECTION 5. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill, No. 887].

AN ACT

To amend sections 698 and 699 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 698 and 699 of the Revised Statutes of Ohio be amended so as to read as follows:

SEC. 698. The asylums for the insane in Ohio shall be respectively designated as follows: That near Cleveland as the Cleveland asylum for the insane; that near Columbus as the Columbus asylum for the insane; that near Dayton as the Dayton asylum for the insane; that near Athens as the Athens asylum for the insane; and that near Toledo as the Toledo asylum for the insane; and they shall each be under the charge of a separate board of trustees.

SEC. 699. The districts of the asylums named in the last preceding section shall be respectively as follows:

The district of the Cleveland asylum for the insane shall be composed of the counties of Ashtabula, Cuyahoga, Columbiana, Geauga, Lake, Mahoning, Medina, Portage, Summit and Trumbull.

The district of the Columbus asylum for the insane shall be composed of the counties of Belmont, Carroll, Coshocton, Delaware, Fairfield, Fayette, Franklin, Guernsey, Harrison, Holmes, Jefferson, Knox, Licking, Madison, Marion, Morrow, Muskingum, Pickaway, Tuscarawas and Union.

State asylums
for the in-
sane:

Names of.

Districts.

The district for the Dayton asylum for the insane shall be composed of the counties of Brown, Butler, Champaign, Clarke, Darke, Green, Logan, Miami, Montgomery, Preble, Shelby and Warren.

The district of the Athens asylum for the insane shall be composed of the counties of Adams, Athens, Clermont, Clinton, Gallia, Highland, Hocking, Jackson, Lawrence, Meigs, Monroe, Morgan, Noble, Perry, Pike, Ross, Scioto, Vinton and Washington.

The district of the Toledo asylum for the insane shall be composed of the counties of Ashland, Allen, Auglaize, Crawford, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Lorain, Lucas, Mercer, Ottawa, Paulding, Putnam, Richland, Sandusky, Seneca, Stark, Van Wert, Wayne, Wood, Williams and Wyandot.

Transfer of patients.

As soon as practicable after the first day of August, in the year one thousand eight hundred and eighty-seven, the patients in each of said asylums who have been sent thereto from a county which does not belong to the district of any such asylum as fixed by this section, shall be transferred to the asylum of the proper district; any such transfer to be made at such time and in such manner as may be agreed upon by the medical superintendents of the asylums to be thereby affected. The expense of the transfer of patients as

Expense of transfer.

provided for in this act, to be paid out of the current expense fund of the institution from which the patients are removed.

SECTION 2. Said original sections 698 and 699 of the Revised Statutes of Ohio are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after the first day of August, 1887.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 842].

AN ACT

To amend section 6291 of the Revised Statutes of Ohio.

Guardian:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section sixty-two hundred and ninety-one be amended so as to read as follows:

Settlement by his executor, administrator or guardian.

SEC. 6291. When any guardian has died, or may hereafter die, or shall, by reason of insanity or other incompetency, be placed under guardianship before the settlement in court of his or her guardianship account, it shall be the duty of the executor, administrator or guardian of such deceased or incompetent guardian to settle said account in the same manner as such guardian ought to have done; and any person

having an interest in the settlement of such account, or the court by which such guardian was appointed, of its own motion, may, by citation to be issued, returned and proceeded upon according to the provisions of law which may then be in force for the settlement of decedents' estates, compel such settlement to be made by the administrator, executor or guardian of such deceased or incompetent person as aforesaid. The executor, administrator or guardian making such settlement shall be allowed such compensation for the same as the court with which the settlement is made shall deem reasonable.

Citation.

Compensation.

SECTION 2. That said original section 6291 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 352].

AN ACT

To amend sections 2, 3, 4 and 5 of an act passed May 8, 1886, (O. L. pages 120 and 121, vol. 83).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2, 3, 4 and 5 of the above named act read as follows:

Dairy and food commissioner:

SEC. 2. It shall be the duty of said commissioner or assistant commissioner, to inspect any articles of butter, cheese, lard, syrup, or other article of food or drinks, made or offered for sale in the state of Ohio, as an article of food or drink, and to prosecute or cause to be prosecuted, any person or persons, firm or firms, corporation or corporations, engaged in the manufacture or sale of any adulterated article or articles of food or drink, or adulterated in violation of, or contrary to any laws of the state of Ohio.

General duties of himself and assistants.

SEC. 3. The said commissioner, or any assistant commissioner, shall have power in the performance of their duty, to enter into any creamery, factory, store, salesroom, drug store or laboratory, or place where they have reason to believe food or drink are made, prepared, sold or offered for sale, and to examine their books, and to open any cask, tub, jar, bottle or package, containing or supposed to contain any article of food or drink, and examine or cause to be examined and analyzed the contents thereof, and it shall be the duty of any prosecuting attorney in any county of the state, when called upon by said commissioner or assistant commissioner, to render him

Powers.

any legal assistance in his power, to execute the laws, and to assist in the prosecution of cases, arising under provisions of this act.

Assistant
commission-
ers.

Expert chem-
ists.

SEC. 4. Said commissioner may, with the consent and advice of the governor, appoint not more than two assistant commissioners, whose salaries shall be one thousand dollars each, per annum, and their necessary and reasonable expenses incurred in the discharge of their official duties, payable in time and manner like that of the commissioner and on itemized vouchers approved by the said commissioner. The said commissioner shall have power, with the advice and consent of the governor, to appoint three expert chemists, to be of acknowledged standing ability and integrity, to examine and analyze samples of food and drink, or of drugs or medicines submitted to them by the commissioner or assistant commissioner. The compensation of said expert chemists shall be for the actual number of determinations, or examinations required and made, and shall not exceed for each determination or examination two-thirds the price, usually paid experts, for a single determination or examination of a similar kind. The compensation of said expert chemists shall be paid at the end of each quarter of the calendar year, on itemized vouchers certified to by said commissioner, which said amount of expenses shall not exceed, in any one year for the three expert chemists combined, the sum of one thousand dollars, the sum to be paid out of the general revenue fund.

Fines.

SEC. 5. All fines assessed or collected under prosecutions, begun or caused to be begun by the said commissioner or assistant commissioners, shall be paid into the state treasury.

SECTION 2. That sections 2, 3, 4 and 5 of an act, to create the office of "dairy and food commissioner," passed May 8, 1886, (pages 120 and 121, O. L., vol. 83), be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 520].

AN ACT.

To amend section 3714 of the Revised Statutes of Ohio, so as to provide for changing the name of "the Ohio state society for the prevention of cruelty to animals" to "the Ohio humane society," and to more clearly define the purpose and scope of said state society and its auxiliaries.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3714 of the Revised Statutes of Ohio is amended so as to read as follows:

SEC. 3714. The Ohio state society for the prevention of cruelty to animals, heretofore incorporated, shall be and remain a body corporate, under the name of "the Ohio humane society," with all the powers, privileges, immunities, and duties heretofore possessed by said Ohio state society for prevention of cruelty to animals, hereinafter specified as to county associations, and may appoint any person, in any county in this state where there is no such active association, to represent the state society, and to receive and account for all funds coming to the society, from fines or otherwise.

The objects of said society and all societies heretofore or hereafter organized under sections 3715 and 3716 of the Revised Statutes shall be the inculcation of humane principles, and to secure the enforcement of laws for the prevention of cruelty, especially to children and animals, to promote which object the said societies may respectively acquire property, real or personal, by purchase or gift.

All property acquired by gift, devise, or bequest, for special purposes, shall be vested in a board of trustees consisting of three members elected by the society, which board shall manage said property, and apply the same in accordance with the terms of the gift, devise, or bequest, with power to sell the same and re-invest the proceeds.

Said society may elect such officers, and make such rules and regulations and by-laws as may be deemed necessary or expedient by their members for their own government and the proper management of their affairs.

Said society may appoint agents in any county of this state, where no active society exists under sections 3715 and 3716 of the Revised Statutes to represent the society, and receive and account for all funds coming to the society from fines or otherwise, and may also appoint agents at large to prosecute the work of said society throughout the state.

The agents of said society and of all societies heretofore or hereafter organized under sections 3715 and 3716 of the Revised Statutes, whose appointment has been approved as hereinafter provided, shall have power to arrest any person found violating any law for the protection of persons or animals, or the prevention of cruelty thereto, and upon making such arrest shall forthwith convey the person arrested before some court or magistrate having jurisdiction of the offense, and there make complaint against them, but said agents shall not

"Ohio Humane Society."

Powers, etc.

Representatives.

The objects of.

Power to acquire property.

Board for management of bequests, etc.

Officers and rules.

Agents.

Powers of agents.

be authorized to make such arrests within any municipal corporation unless their appointment has been approved by the mayor thereof, nor within any county beyond the limits of a municipal corporation, unless their appointment has been approved by the probate judge of said county, and the mayor or probate judge shall keep a record of all such appointments.

Branch societies.

Branches of the society consisting of not less than ten members may be organized in any part of the state to prosecute the work of the society in their several localities, under rules and regulations prescribed by the society.

Societies now organized may become branches.

Societies for the prevention of acts of cruelty to animals organized in any county under section 3715 may become branches of said society by resolution adopted at a meeting thereof called for that purpose, a copy of which resolution shall be forwarded to the secretary of state.

SECTION 2. Section 3714 of the Revised Statutes of Ohio is hereby repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 434.]

AN ACT

To amend sections 1208, 1212, 1213, 1214, 1215, 1216, 1218, 1219, 1238 and 1239, and to repeal section 1220 of the Revised Statutes of Ohio.

Sheriffs and coroners:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 1208, 1212, 1213, 1214, 1215, 1216, 1218, 1219, 1238 and 1239 of the Revised Statutes of Ohio be so amended as to read as follows:

Vacancy in office of sheriff.

SEC. 1208. When the office of sheriff becomes vacant, the county commissioners shall appoint some suitable person to fill the vacancy, who shall give bond and take the oath of office prescribed for the sheriff, and hold his office for and during the unexpired term of the sheriff, whose place he fills; and when the sheriff is incapable, by reason of absence, sickness, or other disability, of serving any process required to be served, or by reason of interest is incompetent to serve the same, the court of common pleas, if in session, or any judge thereof in the district, if the court is not in session, may appoint some suitable person to serve such process, or to perform the duties of sheriff during the continuance of such disability, and such appointee shall give such bond, conditioned for the faithful performance of his duties, as such court or judge requires, and shall take the oath of office.

Disability.

SEC. 1212. There shall be kept in the office of the sheriff of each county, a foreign execution docket, to be furnished at the cost of the county, in which docket the sheriff shall, on the receipt by him of any execution, order of sale, or other process issuing from any court of any county of the state, other than that in which he resides, make an entry of the date of such writ, when received by him, from what court and county issued, the date and amount of judgment or decree; also, copy in such book the full description of the property and real estate which he levies upon or offers for sale, the same as is indorsed upon or contained in such writ; also, copy into such book his return on such writ, when he makes the same, including the bill of costs; and shall, for the use of the persons entitled to the same, retain all fees due in such cases to residents of his county, and pay the same over on demand to such persons, and shall make a direct and reverse index of each case so entered; and such entries so made, shall be notice to subsequent purchasers and creditors of the matters contained therein.

Foreign execution docket.

SEC. 1213. For making such entries, the sheriff shall receive ten cents, in each case, to be taxed in the fee bill.

Fees for entries.

SEC. 1214. There shall be kept in the office of the sheriff, a cash book, to be furnished at the cost of the county, in which book the sheriff, on receipt by him of any money, in his official capacity, shall make an entry of the date and amount of the same, the title of the cause, the name and number of the writ or process on which received; and if received on sale of real estate, in partition or otherwise, where the sale has been for part cash and notes and other evidences of indebtedness are taken for part of the purchase money, he shall make an entry on such cash book of the date, number and amount of such notes so taken by him.

Cash book.

SEC. 1215. The books, by this chapter required to be kept, shall not be removed from the sheriff's office, but shall be delivered over, without mutilation, as public property, to each succeeding sheriff; and any sheriff who fails, neglects, or refuses to comply with this or the next preceding section, shall be fined in any sum not exceeding one thousand dollars, and also be liable for all damages caused by such failure, neglect, or refusal.

Books to be delivered to his successor.

SEC. 1216. The books, by this chapter required to be kept, shall be open to the search and inspection of all persons; and for every such search, the sheriff producing the book or books, is entitled to receive, of the person making the search, the sum of twelve and a half cents; and shall, if required, and without further charge, furnish the person making the search, a certified copy of such entry; and for each additional certified copy, required of the sheriff, he shall receive the sum of twelve and a half cents.

Books open to search.

Fees.

Moneys shall be paid and books, papers, etc., shall be delivered to his successor.

SEC. 1218. The sheriff, upon retiring from office, shall pay over to his successor in office all moneys received by him, then remaining in his hands, and deliver to his successor in office all notes, mortgages and other evidences of indebtedness, and all books, blanks and stationery belonging to his office; and each sheriff shall demand and receive from his predecessor the books and papers aforesaid.

Process, goods, prisoners, etc., shall be delivered to successor, etc.

SEC. 1219. When the term of office for which any sheriff has been elected, has expired, or he has resigned, or removed without the county, such late sheriff shall deliver over all writs of execution, and all other process, of whatever description, whether executed or not, together with all goods and chattels which have been by him taken in execution, or attached, and which remain in his hands, together with all bonds, to such person as has been elected, or appointed, and qualified to discharge the duties of sheriff, making the necessary and proper return upon each writ of execution, or other process, so far as the same has been executed; and also, to deliver over, as aforesaid, all prisoners in the jail of the county, or otherwise in his custody, together with all bail bonds by him taken, and remaining in his possession; and the new sheriff shall receive all such prisoners, writs or other process, and proceed to execute such writs or other process as remain unexecuted, in whole or in part, in the same manner as if such writs or other process had been originally directed to him; and no process shall be directed to or executed by any sheriff whose term of office has expired.

Distribution of fees in certain cases.

SEC. 1238. In all cases where any sheriff, having levied an execution, and whose term of office has expired, has returned such execution unsatisfied, or has delivered the same to his successor in office before the money could be made thereon, the court shall order the poundage and fees taxed on such execution to be distributed between such sheriff and his successor, who has made the money thereon, in such manner and proportions as the court deems just.

Coroner's fees.

SEC. 1239. Coroners shall be allowed the following fees: For view of a dead body, three dollars; for drawing all necessary writings and return thereof, for every hundred words, ten cents; and for traveling, each mile, to the place of view, ten cents.

Repeal.

SECTION 2. That said original sections 1208, 1212, 1213, 1214, 1215, 1216, 1218, 1219, 1220, 1238 and 1239 be and are hereby repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 21, 1887.

[House Bill No. 747].

AN ACT

To amend section 7341 of the Revised Statutes of Ohio, as amended May 12, 1886, (83 v. 145).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7341 be amended so as to read as follows: Criminal procedure:

SEC. 7341. Besides the warden and such number of guards as he thinks necessary, or his deputy, the following persons may be present at the execution, but none others: The sheriff of the county in which the prisoner was tried and convicted, the board of managers and physician of [the] Ohio penitentiary, the clergyman in attendance upon the prisoner, and such other persons as the prisoner may designate, not exceeding three in number, representatives of not exceeding three newspapers in the county where the crime was committed, and one reporter for each of the daily newspapers published in the city of Columbus. Who may attend execution of death penalty.

SECTION 2. That section 7341, as amended May 12, 1886, (83 v. 145), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 432].

AN ACT

To confer additional powers upon county commissioners relating to bequests, donations and gifts for the promotion of education.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of the several counties of the state may receive bequests, donations and gifts of real and personal property and money to promote and advance the cause of education in their respective counties; and any and all property and money so at any time received by the commissioners of any county, or which may have been heretofore bequeathed to the commissioners of any county, and which has been bestowed upon them and remains yet undisposed of by such commissioners, may, by the said commissioners, at their discretion, be paid over to any incorporated institution of learning in their respective counties, or a part may be used to defray the expenses of the teachers' institute, Power of county commissioners to receive bequests, etc., for educational purposes.

Application of such trust funds.

each year, as the said commissioners may in their discretion, and with reference to the terms of the trust, deem best, and upon such terms and conditions as they may prescribe, having reference to the safety of the fund and its proper application.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 46Q].

AN ACT

To amend section 3980 of the Revised Statutes of Ohio.

Boards of
education :

Organization ;
selection of
officers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3980 of the Revised Statutes of Ohio be so amended as to read as follows :

SEC. 3980. Each board of education shall organize by choosing one of its members president, and, except township boards, by choosing also a clerk, who may or may not be a member of the board ; if at the organization of a township board the township clerk is absent, the board shall appoint one of its members clerk pro tempore ; each board of education, however, as chosen under the provisions of section 3899, shall further, at its first regular meeting after its annual organization, choose or appoint an auditor, who shall not be a member of the board, and who shall receive such compensation and perform such duties as the board may provide for and determine ; and such organization shall be effected on the third Monday of April of each year, except as otherwise provided in section thirty-nine hundred and fourteen.

SECTION 2. Said original section 3980 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 287].

AN ACT

To provide for the punishment of obtaining registry or transfer in any herd book by any false pretense.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That every person, who by any false pretense shall obtain, from any club, association, society, or company for improving the breed of jersey cattle, a certificate of registration of any animal in the herd register, or other register of any such club, association, society, or company, or a transfer of any such registration, and every person who shall knowingly give a false pedigree of any jersey animal, upon conviction thereof, shall be punished by imprisonment in a jail for a term not exceeding six months, or by a fine not exceeding five hundred dollars, or by both such fine and imprisonment.

Unlawful obtaining of registry or transfer in any herd book.

Penalty.

SECTION 2. The crime shall be deemed completed and every such person shall be prosecuted either in the county in which such certificate of registration or transfer has been obtained, or in the county where such false pretense has been made.

Venue.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 444].

AN ACT

To amend section 1289 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1289 of the Revised Statutes of Ohio be so amended as to read as follows:

Hamilton county:

SEC. 1289. The judges of the court of common pleas of Hamilton county, and the judges of the circuit court of the first judicial circuit, shall each receive, in addition to the salaries payable out of the state treasury, the sum of not less than one thousand dollars, nor, in the case of the judges of the circuit court, more than two thousand dollars, at the discretion of the commissioners of said county, to be paid to them out of the county treasury, in the same manner and at such times as is provided for the payment out of the state

Additional salaries to be paid circuit and common pleas judges by county.

treasury; and when the salary is once fixed it shall not be increased or diminished during the residue of the term of office of any of the judges.

SECTION 2. That section 1289 of the Revised Statutes is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 680].

AN ACT

To secure prompt payment of wages of certain employees twice in each month.

Payment of
wages of cer-
tain em-
ployes twice a
month.

May be made,
how.

What
amounts may
be retained.

Penalty for
neglect or re-
fusal to so
pay.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That where the majority of the employees who receive their pay at one office of any person, firm, company or corporation, which is engaged in mining, manufacturing or mechanical business, shall make demand in writing to be paid their wages twice in each month thereafter, and their contracts with their employers are silent with reference to such time of payment, then in such case said person, firm, company or corporation shall pay such wages as shall be earned up to the sixteenth day of each month, not later than the twenty-fifth day of said month, and the wages earned up to the end of the month, not later than the tenth day of the following month, in lawful money; provided, that such payment may be made by check, draft or order, payable in lawful money, at sight or on demand, on a bank located at a distance not greater than eight miles from the place where said labor is performed. And provided further, that said employer may retain at each payment any amount said employe may order withheld from his wages, for rent, powder, tools, tool-sharpening or oil, and rent, powder or oil due said employer.

SECTION 2. In case any person, firm, company or corporation mentioned in the first section of this act, neglects or refuses to pay such wages at the time prescribed, when demanded, and when the contract is silent as to time of payment, said employe shall have the right to recover of said

employer the amount due, with a penalty of ten per cent., together with interest upon [the] whole amount due, including penalty, until the same is paid.

SECTION 3. This act shall take effect on the first day of August, 1887.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 471].

AN ACT

To authorize certain cities to build bridges, and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any city of the second grade of the second class is hereby authorized to remove [the] present stone arch bridges and approaches over the Miami and Erie canal within such city, and to construct at such points low grade iron swing bridges, and the necessary approaches thereto; provided, that in making such change the channel for passage of boats shall not be diminished either in depth or width; and for the purposes aforesaid, such city is authorized to issue bonds thereof, in any amount not to exceed twenty-five thousand dollars (\$25,000), payable at such times as the city council of such city may determine, but not to exceed ten years from the date of the issue thereof; said bonds to bear a rate of interest not exceeding six per centum per annum, payable semi-annually, and not to be sold for less than par and the accrued interest thereon; and the proceeds thereof, together with such premium as may be derived thereby, shall be applied to no other purpose than the purposes herein mentioned. Said bonds shall be signed by the mayor and clerk of said city, and be sealed with the seal of the corporation.

Dayton authorized to build bridges.

Issue of bonds.

Sale of bonds.

SECTION 2. The council of said city is hereby authorized to levy an annual tax, not in excess of three-tenths of one mill, on the general duplicate of said city, in addition to the other taxes heretofore levied, or hereafter to be levied, for the redemption of said bonds, and the payment of the interest thereon, until the said bonds and the interest thereon are paid and said bonds redeemed as the same may become due.

Levy of tax.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 879].

AN ACT

To prevent the adulteration of vinegar.

Manufacture
and sale of
adulterated
vinegar for-
bidden.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That no person shall manufacture for sale, or knowingly offer or expose for sale as cider, apple, or orchard vinegar, any vinegar not the legitimate product of pure apple juice, known as apple cider; or vinegar not made exclusively of said apple cider; or vinegar into which foreign substances, drugs or acids have been introduced, as may appear by proper test.

Injurious in-
gredients.

SECTION 2. No person shall manufacture for sale, or knowingly offer for sale, or have in his possession with intent to sell, any vinegar found upon proper tests to contain any preparation of lead, copper, sulphuric acid, or other ingredients injurious to health,

Coloring mat-
ter; vinegar
solids.

SECTION 3. All cider vinegar shall be without artificial coloring matter, and shall contain not less than two per cent. by weight of cider vinegar solids upon full evaporation over boiling water.

Brands on
casks.

SECTION 4. Every person making or manufacturing cider vinegar, who is not a domestic manufacturer of cider or cider vinegar, shall brand on each head of the cask, barrel or keg containing such vinegar, the name and residence of the manufacturer, the date when same was manufactured, and the words "Cider Vinegar." And no vinegar shall be branded "Fruit Vinegar" unless the same be made wholly from apples, grapes, or other fruit.

Penalties.

SECTION 5. Whoever violates any of the provisions of this act shall, upon conviction, be fined not less than fifty dollars, nor more than one hundred dollars, or imprisoned not less than thirty days, nor more than one hundred days, or both; and shall be adjudged to pay in addition all necessary costs and expenses incurred in inspecting and analyzing such vinegar. And all vinegar not in accordance with this act shall be subject to forfeiture and spoliation.

Taking effect.

SECTION 6. This act shall take effect and be in force from and after July first, 1887.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 848].

AN ACT

To amend section 2963 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2963 be so amended as to read as follows: Elections:

SEC. 2963. Judges and clerks of election shall each receive two dollars per election for their services at every election, to be paid by the county; except in the case of township elections only, when such compensation shall be paid by the township. Fees of judges and clerks.

SECTION 2. That original section 2963 is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate,

Passed March 21, 1887.

[Senate Bill No. 409].

AN ACT

To amend section 3067 of the Revised Statutes of Ohio, as amended April 28, 1886, (vol. 83, O. L. p. 96).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three thousand and sixty-seven (3067) of the Revised Statutes of Ohio be amended so as to read as follows: Ohio National Guard:

SEC. 3067. The amounts which may be collected as dues and fines, shall be fixed by the council of administration of each regiment and battalion, subject to the approval of the commander-in-chief. And the commanding officer of any regiment, battalion, company, troop or battery, may arrest any member of his command for the violation of any order, regulation or law for the government of the Ohio National Guard, and may authorize, in writing, any constable or police officer of the city, village or township where such violation occurs, to so arrest any such delinquent member; and such commanding officer may turn over to any constable or police officer any member of his command so arrested by him, and such constable or police officer shall hold such man so arrested and in his custody until he has been tried by the proper court-martial, or has been discharged by proper authority, and for a period not exceeding five days. Each commanding Levy and collection of fines.

Arrests.

Detention of person arrested.

officer shall deduct from any pay received for any member of his command the amount of all dues and fines due from said member, for fines assessed by courts-martial, or in accordance with the provisions of this title.

SECTION 2. Said original section 3067, as amended April 28, 1886, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 407].

AN ACT

To amend and supplement section 1707, as amended February 17, 1887, of the Revised Statutes, so as to provide for the election by council of a solicitor in cities of the second grade of the second class.

Cities of second class:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1707, as amended February 17, 1887, of the Revised Statutes, be so amended as to read as follows:

Officers.

SEC. 1707. The officers of a city of the second class shall consist of a mayor, a marshal, except as hereinafter provided, a city solicitor, a city commissioner, who shall be superintendent of streets and highways, a treasurer, except as provided in section seventeen hundred and eight, all of which officers shall be chosen by its electors, except as hereinafter provided, and a clerk, who shall be chosen by the council; and in cities of the second grade of the second class, the solicitor shall be chosen by the council; and in cities of the third grade of the second class, there shall also be a police judge, prosecuting attorney of the police court and clerk of the police court, which officers shall also be chosen by the electors thereof; and the council may, when in its own opinion expedient, create by ordinance the office of auditor, civil engineer, sealer of weights and measures, fire engineer, and superintendent of markets, and provide for their election or appointment, and compensation; provided, that the provisions as to a marshal shall be subject to the provisions contained in the fourth sub-division of chapter five, of the fifth division of this title, and provided further that in cities of the third grade of the second class, the council may, when in its opinion expedient, abolish by ordinance the office of marshal.

SECTION 2. That section 1707 of the Revised Statutes, as above amended, be supplemented by the addition of a section to be known and numbered as section 1707c, to read as follows:

SEC. 1707c. In cities of the second grade of the second class, where a solicitor is to be elected by the council, such election shall be made by the council after its organization following the annual municipal election, and at the expiration of the term of the incumbent, and the officer so elected shall serve two years.

Dayton:

Election of solicitor by council.

Term.

SECTION 3. That section 1707, as amended February 17, 1887, of the Revised Statutes, be and the same is hereby repealed.

SECTION 4. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1180].

AN ACT

Making appropriation for contingent expenses of the house of representatives.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated from any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the sum of twelve hundred dollars (\$1,200) for the contingent expenses of the house of representatives.

Appropriation for contingent expenses of house of representatives.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 312.]

AN ACT

To amend sections 4410, 4411 and 4412 of the Revised Statutes of Ohio, as amended March 20, 1884.

- Pharmacists:** SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections forty-four hundred and ten, forty-four hundred and eleven and forty-four hundred and twelve of the Revised Statutes of Ohio, as amended March 20, 1884, be amended so as to read as follows:
- Who may not compound prescriptions.** SEC. 4410. No person, not a qualified assistant, shall be allowed by the proprietor or manager of any retail drug or chemical store, to compound or dispense the prescriptions of physicians, except as an aid under the supervision of a registered pharmacist, or his qualified assistant.
- Qualified assistants** SEC. 4411. A qualified assistant, within the meaning of this chapter, shall be a clerk or assistant in a retail drug or chemical store, who shall furnish to the Ohio board of pharmacy such evidence of his employment as is required by section forty-four hundred and seven; or a person holding the certificate of said board, as an assistant pharmacist, as provided in section forty-four hundred and eight; but it shall be unlawful for such assistant pharmacist, or qualified assistant, to supervise or manage any pharmacy or retail drug or chemical store, or to engage in the occupation of compounding or dispensing medicines on prescriptions of physicians, or of selling at retail for medicinal purposes, any drugs, chemicals, poisons, or pharmaceutical preparations, except when engaged or employed in a pharmacy, retail drug, or chemical store which is in charge of, and is under the supervision and management of a registered pharmacist.
- Penalties.** SEC. 4412. Any person owning a pharmacy or retail drug or chemical store, who, in violation of the provisions of section 4405 of this act, causes or permits the same to be conducted or managed by a person, not a registered pharmacist, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than twenty dollars, nor more than one hundred dollars, and each week that he shall cause or permit such pharmacy, retail drug or chemical store to be so conducted or managed, shall constitute a separate and distinct offense, and render him liable to a separate prosecution and punishment therefor; a person violating the provisions of section forty-four hundred and seven, relating to registration, renewal of registration, or failing to conspicuously expose such certificate of registration, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not exceeding one hundred dollars for each week he continues to carry on or to be engaged in such business without such registration or such exposure of such certificate of registration, or renewal thereof. And for the violation of any of the provisions of section 4410, such proprietor or manager shall be deemed guilty of a mis-

demeanor, and upon conviction thereof, shall be fined in any sum not exceeding fifty dollars for each and every offense; and for violation of any of the provisions of [section] 4411, such assistant pharmacist shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not exceeding fifty dollars for each and every offense; all fines assessed for the violation of any of the provisions of this act shall be placed in the county treasury, for the use and benefit of the common school fund of the county in which such offense is committed; provided, that nothing in this act shall be so construed as to in any way affect the right to any person to bring a civil action against any person referred to in this act, for any act or acts for which a civil action may now be brought. It shall be the duty of the Ohio board of pharmacy, upon application therefor being made to said board, to cause the prosecution of any person or persons violating any of the provisions of this act.

Duty of Ohio
board of phar-
macy.

SECTION 2. Original sections 4410, 4411 and 4412 of the Revised Statutes of Ohio, as amended March 20, 1884, are hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 494].

AN ACT

To erect a statue or other suitable monument in commemoration of the public services of General William Henry Harrison, and to submit the question of levying a tax to defray the expenses of the construction of said monument to the qualified electors of Hamilton county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the governor shall appoint a commission of seven citizens of Hamilton county, who are authorized to contract for and have erected a statue or other suitable monument in Hamilton county, in commemoration of the public services of General William Henry Harrison, at an expense of not more than \$25,000.

Commission-
ers to erect
Harrison
monument.

SECTION 2. To defray the expenses for the construction and erection of said monument, the commissioners of Hamilton county are authorized to levy and assess upon the grand-duplicate of the taxable property of said county one-tenth of one mill on the dollar in the year 1887, as hereinafter provided.

Levy of Tax.

Question of
erection to be
submitted to
electors.

SECTION 3. Before such tax shall be levied, the question of making such levy shall be submitted to a vote of the qualified electors of said county of Hamilton, at the election in April next. The commissioners of Hamilton county shall prepare ballots for said vote as follows: "Harrison monument—Yes." "Harrison monument—No." If a majority of the votes cast shall be in the affirmative, the commissioners shall proceed to levy and assess said tax at one-tenth of one mill on the dollar, but not otherwise.

Money to be
drawn from
Hamilton
county treas-
ury.

SECTION 4. If the tax should be levied and collected, the commissioners appointed by the governor shall draw the money from the treasury of Hamilton county, from time to time, as it may be required to pay for the construction of said monument, only on the order of the mayor of Cincinnati.

SECTION 5. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1186].

AN ACT

To amend section sixty-nine hundred and sixty-eight of the Revised Statutes, as amended May 17, 1886.

Unlawful
catching or
killing of fish;
penalties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 6968 of the Revised Statutes of Ohio be so amended as to read as follows:

SEC. 6968. Whoever, in any body of water, except in the Mercer county reservoir, whether natural or artificial, lying in the state of Ohio, or part therein, except in Licking county reservoir, from the first day of October until the first day of April, in Lake Erie, Sandusky and Maumee bays, catches in any way other than by hook and line any fish, except minnows, shall be guilty of a misdemeanor, and shall, on conviction, be punished as hereinafter provided. Whoever draws, sets, places, or locates any pound net, seine, gill net, trap, or any fish net or other device for catching fish, except minnows, aforesaid, in any of the waters of Lake Erie west of Avon Point, from the twenty-fifth of May to the fifteenth day of September of each year, or in the waters of Lake Erie east of Avon Point, from the tenth of June to the first day of October, shall be guilty of a misdemeanor, and shall, on conviction, be punished as hereinafter provided; and such seines, nets, weirs, and other devices, shall be confiscated and de-

stroyed wherever found. Whoever shall at any time of the year, in Lake Erie, in the vicinity of the islands thereof and in the bays tributary thereto, upon the shoals and reefs therein, by means of any device whatever, except with hook and line, and whoever in any body of water, whether natural or artificial, lying in the state, or parts therein, shall shoot or spear or with the device known as trammel or pocket fyke, or gill net, fish or catch any fish, shall be guilty of a misdemeanor, and, on conviction, punished as provided hereafter. Whoever buys, sells, or offers for sale, any fish caught out of season, or in any manner prohibited, or whoever, at any time of the year, in any waters of the state of Ohio, kills any fish by the use of dynamite, or any other explosive mixture, or by the use of any poisonous drug, bait, or food, shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished as hereinafter provided; provided, that nothing in this section, or the several statements of offenses herein contained, shall prevent the fish and game commissioners of this state, or their agents, from taking fish at any time or place for stocking ponds, lakes, and rivers, and for the maintenance and cultivating of fish artificially, and for no other purpose; and, provided, it is hereby made the duty of said fish and game commissioners and wardens, on complaint of any person, or otherwise, to prosecute all violations of this section, and any person may make complaint of all violations of this and the preceding sections of this act before any mayor or justice of the peace having jurisdiction of the same; and whoever shall violate any of the several provisions herein contained, shall, for each and every offense, be fined not more than one hundred dollars and not less than twenty-five dollars, which shall go to a county fund in the county wherein the offense is committed, to be called the fish and game fund; and any person convicted of any violation of any provision of this act and refusing to pay the fine imposed, shall be imprisoned thirty days, unless the fine is sooner paid.

Unlawful
catching or
killing of fish;
penalties.

SECTION 2. Section 6968 of the Revised Statutes is hereby repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 326].

AN ACT

To amend section 8 of an act entitled "an act providing against the evils resulting from the traffic in intoxicating liquors," passed May 14, 1886, (O. L., Vol. 83, p. 157).

Amendment
to "Dow law:"

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 8 of the act entitled "an act providing against the evils resulting from the traffic in intoxicating liquors," passed May 14, 1886, be so amended as to read as follows:

Meaning of
phrase, "traf-
ficking in in-
toxicating
liquors," de-
fined.

SEC. 8. The phrase "trafficking in intoxicating liquors," as used in this act, means the buying or procuring and selling of intoxicating liquors otherwise than upon prescription issued in good faith by reputable physicians in active practice, or for exclusively known mechanical, pharmaceutical or sacramental purposes, but such phrase does not include the manufacture of intoxicating liquors from the raw material, and the sale thereof at the manufactory, by the manufacturer of the same in quantities of one gallon or more at any one time.

Manufactur-
ers.

SECTION 2. That the original section 8 of said act be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill, No. 276].

AN ACT

To amend sections 2824 and 2829 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2824 and 2829 be so amended as to read as follows:

Levy of taxes
for county
road and
bridge pur-
poses.

SEC. 2824. The commissioners, at their March or June sessions, annually, may levy on each dollar of valuation of taxable property within their county, for road and bridge purposes, as follows: In a county where the valuation of taxable property exceeds eighty millions and does not exceed one hundred and twenty millions dollars, five-tenths of a mill; where the amount exceeds fifty millions and does not exceed eighty millions dollars, seven-tenths of a mill; where the amount exceeds twenty millions and does not exceed fifty

one mill and one-tenth; where the amount does not exceed twenty millions and five-tenths; where the amount exceeds twenty millions and five-tenths, but does not exceed ten millions dollars, three-tenths; and where the amount is less than five millions dollars, one-tenth; and of the tax so levied the commissioners shall set apart such portion, as they may deem proper, to be applied to the building and repair of bridges, and the balance so set apart shall be called a bridge fund, and shall be entered on the duplicate in a separate column, and shall be collected in money, and expended, except as may be otherwise provided by law, under the direction of the commissioners, in building bridges and culverts, or in repairing the same; provided, that in any county containing a city of the first grade of the first class, where the valuation of taxable property exceeds two hundred millions of dollars, the commissioners of said county may levy on each dollar of valuation of taxable property within said county, for bridge purposes exclusively, not to exceed three-tenths of a mill, which shall be collected in money and placed by the auditor to the credit of the bridge fund of the county, and the same shall be expended by the commissioners in building bridges and culverts, and in repairing and making fills and approaches to the same in the townships outside of the corporate limits of said city, and for no other purpose whatever; except that one-third of said fund collected in the county, in all cases where the city council of said city of the first grade of the first class shall demand it, shall be paid into the city treasury of said city, and shall be expended by the board of [public] affairs of said city, for the purpose of building and repairing bridges within the corporate limits of the same; provided further, that in case an important bridge belonging to or maintained by any county has been or shall be destroyed or become dangerous to public travel by decay or otherwise, and the restoration thereof is deemed necessary for public accommodation, the commissioners may levy a special tax for that purpose, not exceeding one mill and five-tenths, the proceeds of which shall be applied solely to such restoration; and the commissioners may anticipate the collection of such special tax, by borrowing any sum not exceeding the amount so specially levied or to be levied, at any rate of interest not exceeding six per centum, and issue notes or bonds therefor, payable upon the collection of such special tax; provided further, that in all cities of the second grade of the first class, and all cities of the second class, one-half the proportion of said bridge fund collected upon the property within said cities, in all cases where the city council shall demand it, shall be paid into the city treasury, and shall be expended by such city for the purpose of building and repairing bridges; provided further, that the commissioners of Montgomery county shall levy not exceeding one mill and one-tenth for road and bridge purposes, and that said levy shall only be on the property subject to taxation outside the city of Dayton, and the pro-

Bridge fund.

Hamilton county.

Payment to Cincinnati.

Special tax to restore important bridge.

Anticipation thereof.

Cleveland and cities of second class.

Montgomery county.

Dayton.

ceeds of such levy shall be applied exclusively to roads and bridges outside of said city ; and the council of said city may annually levy on the taxable property within the same, for bridge purposes, a like tax of one mill and one-tenth in addition to the total aggregate of taxation now authorized by said council, to be expended for building and repairing bridges within said city.

Levy of township road tax in Hamilton county.

SEC. 2829. In any county containing a city of the first grade of the first class, the trustees of the several townships in said county, outside of said city, shall be authorized to levy annually such road tax as they may deem necessary, to keep in repair and improve the public roads and highways in their respective townships, not to exceed three mills on the dollar in any one year. One-third of said tax may be discharged in

Labor in discharge of part tax.

labor as hereinafter provided ; the other two thirds are to be placed on the duplicate of the county by the county auditor, and the same shall be collected as other moneys are collected in the December installment, by the county treasurer, and paid over by him to the treasurer of the township from which said taxes were collected, and said fund shall be expended by the township trustees for labor and material necessary in

Collection and expenditure of township road fund

improving and repairing the public roads of the township ; provided, that when a township shall include one or more incorporated towns or villages, the rate of tax levied by said township trustees, shall not apply or be assessed or collected from the property included within the limits of such incorporated town or village, but the council of such town or village may exercise the right conferred on the trustees of townships to make such levy, if they deem the same necessary.

Municipalities.

If the trustees of any township other than those in counties containing a city of the first grade of the first class, shall deem an additional road tax necessary, they shall determine the per centum to be levied on the taxable property of their townships, not exceeding one mill on the dollar, except in counties where the taxable property is less than ten millions, in which counties the trustees of the different townships thereof, may, at their discretion, levy an additional road tax not to exceed two mills on the dollar valuation of the taxable property of their township, which may be discharged in labor as hereinafter provided, and in addition thereto not exceeding one mill on the dollar for the same purpose, to be collected in money ; but where a township shall

Levy of additional township road tax in counties outside of Hamilton.

include an incorporated village, the rate of tax so fixed by said township trustees shall not apply, or be assessed or collected from the property included within the incorporated limits of such village ; but the council of any such village shall exercise the right conferred by this title on the trustees of townships to make such additional levy for road purposes on the taxable property within the corporate limits of any such village, as trustees may by this title make for road purposes in their respective townships ; and said trustees and council shall certify the same to the county auditor, in writing, on or before the fifteenth day of May each year ; and the

Power of village councils to make such levy for themselves.

Certificate to auditor.

auditor of the county shall assess the same on all taxable property in said township, town or village, and the same shall be collected in the December installment. Collection.

SECTION 2. Said original sections 2824 and 2829 be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 917.]

AN ACT

To amend section 6454 of the Revised Statutes of Ohio, as amended
May 11, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 6454 of the Revised Statutes of Ohio, as amended May 11, 1886, (83 v. 135), be amended so as to read as follows: Concurrent
criminal jur-
isdiction of
probate court:

SEC. 6454. The probate court shall have jurisdiction, concurrent with the court of common pleas, in all misdemeanors and in all proceedings to prevent crime, in the following counties: Cuyahoga, Lake, Lucas, Montgomery, Erie, Richland, Scioto, Holmes, Meigs, Henry, Belmont, Stark, Ottawa, Williams, Allen, Wood, Sandusky, Darke, Wyandot, Coshoc-ton, Defiance, Portage, Clermont, Carroll, Gallia, Hocking, Brown, Lorain, Columbiana, Madison, Clinton, Shelby, Geauga, Mahoning, Jefferson, Monroe, Hancock, Adams, Highland, Licking, Knox, Miami, Fayette, Perry, Tuscarawas, Guernsey, Paulding, Greene, Lawrence, Crawford, Ashland, Washington, Athens, Pike, Summit, Hardin, Delaware, Morgan, Trumbull, Logan, Morrow, Muskingum, Marion, Warren, Pickaway and Seneca. In what coun-
ties.

SECTION 2. That section 6454, as amended May 11, 1886, (83 v. 135), be and the same is hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 445].

AN ACT

To authorize the payment of court costs in the senatorial contest in Hamilton county.

Hamilton
county senatorial
contest:
payment of
court costs.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be paid out of any money in the state treasury to the credit of the general revenue fund, not otherwise appropriated, to Daniel J. Dalton, as clerk of the court of common pleas of Hamilton county, the sum of five hundred, forty-seven and 89-100 dollars, costs of suit in the senatorial contest in Hamilton county, known as the state of Ohio on the relation of James C. Richardson, No. 169; Amzi McGill, No. 170; Frank Kirchner, No. 171; and George W. Hardacre, No. 172, circuit court of Hamilton county, Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 920].

AN ACT

To amend section 97 of the Revised Statutes of Ohio, as amended February 7, 1885, (O. L., v. 82, p. 16.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 97 of the Revised Statutes of Ohio be amended so as to read as follows:

Surrender of
fugitive on
demand of
other state.

Examination.

Commitment.

SEC. 97. If in case of demand for surrender of a person charged with an offense committed in another state or territory, the governor decides that it is proper to comply with the demand, he shall issue a warrant to the sheriff of the county in which such person so charged may be found, commanding him forthwith to arrest and bring such person before a judge of the supreme court, of the circuit court, or of the common pleas court, to be examined on the charge; and upon the return of the warrant by the sheriff, with the person so charged in custody, the judge before whom the person so arrested is brought, and to whom the warrant is returned, shall proceed to hear and examine such charge, and upon proof made in such examination, by him adjudged sufficient, shall commit such person to the jail of the county in which such examination is so had, for a reasonable time, to be fixed by the judge in the

order of commitment, and thereupon shall cause notice to be given to the executive authority making such demand, or to the duly authorized agent of such executive authority appointed to receive the fugitive; and on payment of all costs, and the depositing of a sum of money with the clerk of such court, equal to ten cents a mile from the place where such arrest has been made, to the proper place for the prosecution of such supposed fugitive, by such agent, such fugitive shall be delivered to him to be thence removed to the proper place for prosecution; and if such agent does not appear within the time so fixed and pay the costs, and make such deposit, the sheriff shall discharge the person so imprisoned. In case the supposed fugitive should not be found guilty of the crime charged in the warrant for his arrest, such deposit shall be paid to him, but upon the conviction of such fugitive of the crime so charged, such sum shall be paid to the agent making the deposit.

Notice to
other state.

Payment of
costs and se-
curity for ex-
penses of
fugitive's re-
turn if found
not guilty.

SECTION 2. That section 97, as amended February 7, 1885, (O. L., v. 82, p. 16), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force on the first day of September, 1887.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 408].

AN ACT

To repeal section 1 of an act entitled "an act to change the sub-divisions in the second judicial district, and to provide for the election of an additional judge in the first sub-division," passed March 13, 1868. (Ohio Laws, vol. 65.)*

To repeal section 1 of an act entitled "an act to change the sub-divisions in the second judicial district, and to provide for the election of an additional judge in the first sub-division," passed March 13, 1868. (Ohio Laws, vol. 65.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1 of an act entitled "an act to change the sub-divisions in the second judicial district, and to provide for the election of an additional judge in the second sub-division," passed March 13, 1868, (O. L., 65 v. 25), 3rd Revised Statutes, page 582, be and the same is hereby repealed; and this act shall take effect upon its passage.

Repealing
section 1 of an
act relating to
2nd judicial
district.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

* The foregoing, beginning with "To repeal, etc.," is repeated in the original, as herein printed.

[Senate Bill No. 479].

AN ACT

To amend section 3702 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3702 of the Revised Statutes of Ohio be so amended as to read as follows :

Commissioners may assist agricultural societies in purchasing, etc., sites for fairs.

SEC. 3702. When a county society has purchased or leased for a term of not less than twenty years, real estate as a site whereon to hold fairs, or where the title to the grounds is vested in fee in the county, but the society has the control and management of the lands and buildings, the county commissioners may, if they think it for the interests of the county and society, pay out of the county treasury the same amount of money for the purchase or lease and improvement of such site as is paid by such agricultural society or individuals for such purpose; and such commissioners may levy a tax upon all the taxable property of the county sufficient to meet the provisions of this section.

Levy of tax.

SECTION 2. Original section 3702 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 993].

AN ACT

To amend section 4086 of the Revised Statutes of Ohio.

County teachers' institute:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4086 of the Revised Statutes of Ohio be so amended as to read as follows :

Organization.

SEC. 4086. A teachers' institute may be organized in any county, by the association of not less than thirty practical teachers of common schools residing therein, who shall declare their intention in writing to attend such institute, the purpose of which shall be the improvement of such teachers in their profession; such institute shall elect annually, by ballot, a president, secretary and also an executive committee to manage the affairs of the institute, which committee shall enter into a bond, payable to the state of Ohio, with sufficient surety, to be approved by the county auditor, in double the amount of the institute fund in the county treasury, for the benefit of the institute fund of the county, and conditioned

Election of officers.

Bond.

that the committee shall account faithfully for the money which will come into its possession, and make the report to the commissioner of common schools, required by section four thousand and eight, and such election of officers shall be held during the session of such institute, and at a time fixed by the executive committee thereof, of which election at least three days' notice shall be given the members of such institute by posting conspicuously in a room, where such institute is held, a notice of the time and place of holding such election.

Time and
notice of elec-
tion.

SECTION 2. Said original section 4086 is hereby repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1140].

AN ACT

To amend section 4215 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4215 of the Revised Statutes of Ohio, be so amended as to read as follows:

SEC. 4215. Any person damaged by the killing or injuring of sheep may present a detailed account of the injury done, with the damages claimed therefor, verified by affidavit, to the commissioners of the county wherein such sheep were killed or injured, at some regular session, or within one year thereafter, and shall make it appear to the satisfaction of the commissioners, upon the parol testimony of at least two other persons who are freeholders of the neighborhood where the injury was done, that the damage claimed is just and reasonable, and also make it appear that such injury was not caused, in whole or in part, by any animal kept or harbored by him, and that he does not know whose animal committed such injury, or if known, and such account reduced to judgment could not be collected on execution; and the witnesses in such cases, not exceeding two, shall be allowed the same fees and mileage as witnesses are allowed before the court of common pleas; the commissioners shall hear such accounts in the order of filing, and may allow the same, or such parts thereof as they may deem right; and, if satisfied that such account is correct and just, they shall

Allowance of
damages for
sheep killed
or injured by
dogs.

Payment
from dog tax
fund.

Disposition of
excess.

Cuyahoga
county.

Lucas county.

order the payment thereof, together with the fees and mileage of the witnesses, out of the fund created by the per capita tax on dogs. If such fund is insufficient to pay all such claims allowed in full, they shall be paid pro rata; and if after paying all such claims, at any such session, there remain more than one thousand dollars of such fund, the excess shall be transferred to the school fund and used for the benefit of the common schools in such county; but in Cuyahoga county so much of excess as may be required may be appropriated to the payment of the amount authorized by the second section of the act relating to industrial schools or children's homes, passed April 24, 1877. And provided further, that in counties having therein a city of the third grade of the first class, in which there exists a society "to prevent cruelty to animals," organized under chapter 12, title two of the Revised Statutes, the said excess shall be paid over to the treasurer of said society for the uses of said society.

SECTION 2. That said original section 4215, as amended March 29, 1886, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 355].

AN ACT

To provide for the appointment by courts of record of trustees to receive, hold and manage funds belonging to unknown or non-resident parties, and for the protection of those who pay to such trustees.

Appointment
by courts of
record of
trustees to
manage
funds of un-
known or
non-resident
parties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever, in any action or proceeding pending in any court of record, it shall be made to appear to such court, that any person or persons entitled to all or any part of the proceeds of property sold in such action or proceeding, is or are unknown or non-residents of this state, and not represented in such action or proceeding, or if it be so made to appear that the person or persons so entitled can not, at the time, be definitely ascertained or determined, the court may appoint a trustee to receive, hold and manage such proceeds, or such part thereof, and to whom the notes and mortgage for the unpaid part thereof shall be made, delivered and paid.

Bond re-
quired.

SECTION 2. Such trustee shall, before entering upon his duties, give bond to the state of Ohio, in a sum one and one-

half times the amount to be received by him, conditioned as the court may order, and with surety to be approved by the clerk of such court; and it shall be the duty of such trustee to collect, by action or otherwise, the unpaid part of such proceeds, and to invest, re-invest, and manage such fund for the best interest thereof, making only such investments and upon like securities as guardians are by law authorized to make; such trustee shall, at all times, be subject to the order of the court, and shall, when required by the court, report to it his proceedings and the amount and condition of the fund. He shall pay over such fund, only upon the order of the court appointing him; he may at any time be removed by the court, and he shall receive only such compensation as the court may allow, to be paid out of such fund.

Duties.

Subject to order of court.

Report; payment; removal; compensation.

SECTION 3. The provisions of this act shall apply to actions and proceedings now pending, as well as to those hereafter commenced; such payment to such trustee shall be a bar to any claim thereafter made by any person whomsoever; and the person or persons, or corporations, so paying, shall, in no case, be required to see [to] the application of the money so paid.

Application of this act.

Effect of payment to trustee.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 342].

AN ACT

To regulate the award of contracts and for other purposes in cities of the first grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in cities of the first grade of the first class, all contracts to be made or let for work to be done or supplies to be furnished, or whenever any work is necessary to be done to complete or perfect a particular job, or any supply is needed for any particular purpose, which work and job is to be undertaken or supply furnished for the corporation, and the several parts of the said work or supply shall together involve the expenditure of more than five hundred dollars, the same shall be by contract, under such regulations and forms as are required by law. All contracts shall be entered into by the appropriate heads of departments, and shall be founded on sealed bids or proposals, and shall be awarded to the lowest responsible bidder, who shall give security for the faithful performance of his contract in the manner prescribed and required by law, and the adequacy and sufficiency of this

Cincinnati: public contracts, how made and awarded.

Security.

Opening of
bids.

No contracts
with default-
ers.

Duplicates.

Receipts.

Warrants.

Itemized ac-
counts to ac-
company
vouchers.

security shall, in addition to the justification and acknowledgement, be approved by the comptroller, but such heads of departments shall have the right to reject any and all bids. All bids or proposals shall be publicly opened by the officers advertising for the same, and in the presence of the comptroller, but the opening of the bids shall not be postponed if the comptroller shall, after due notice, fail to attend.

SECTION 2. No bid shall be accepted from, or contract awarded to any person who is a defaulter, as surety or otherwise, upon any obligation to the corporation. Every contract when made and entered into, as before provided for, shall be executed in duplicate, and shall be filed in the office of the comptroller; a receipt for each payment made on account of, or in satisfaction of the same, shall be indorsed on the said contract by the party receiving the warrant, which shall be only given to the person interested in such contract or his authorized representative.

SECTION 3. All warrants or vouchers drawn upon or certified to the comptroller for payment by the appropriate heads of the departments or other officers duly authorized, shall have attached thereto a detailed and itemized account for which [said] warrant or voucher is drawn upon or certified to the comptroller for payment.

SECTION 4. This act shall take effect and be in force on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 474].

AN ACT

To amend section 4 of an act to provide for the establishment and maintenance of a home for disabled and indigent ex-soldiers, sailors and marines of Ohio.

Ohio "Sol-
diers' and
Sailors'
Home:"

Trustees.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4 of the above named act, passed April 30, 1886, (83 O. L., p. 107), be amended to read as follows:

SEC. 4. The selection and purchase of the site and construction of the buildings for said institution, and the general supervision and government thereof, shall be vested in five trustees, not more than three of whom shall belong to the same political party, who, upon the passage of this act, shall be appointed as follows, to-wit: one for one year, one for two years, one for three years, one for four years and one for five years, and as the term of each expires his successor shall be appointed for five years. Such trustees shall be appointed by

the governor, by and with the advice and consent of the senate, and they shall be governed by the provisions of the general laws relating to the state benevolent institutions, except as otherwise provided in this act.

Said board of trustees may appoint one of their number supervisor of construction, who shall be paid such sum as a majority of said board may direct, not exceeding five dollars (\$5) per day during the construction of the same.

Supervisor of
construction;
compensa-
tion.

SECTION 2. Said original section 4 is hereby repealed, and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887,

[House Bill No. 948].

AN ACT

To provide for the location of joint-county ditches between counties of Ohio and those of other bordering states passing concurrent acts herewith.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever the commissioners of any county of this state shall find on file with the auditor of the county, a petition, or copy of one, signed by one or more landowners, whose lands would be assessed for the construction of the improvement prayed for, setting forth the necessity of the location, deepening or widening of any ditch, drain or water-course, for the reasons that the same will be of benefit to the public health, welfare or convenience, and describing the point of beginning, route and terminus thereof, together with a bond, with two sureties, approved by the county auditor, in the amount of two hundred (\$200) dollars, payable to the state of Ohio, for the use of said counties, on the conditions that the petitioners, or their bondsmen, shall pay all costs incurred by said county, by reason of the view of said route petitioned for, if the prayer of said petition is not granted; and also, in addition to said petition and bond, a notice from the proper official of the county of an adjoining state, through which the route of said improvement as described in said petition would pass, setting forth that the proper papers are filed, and that the proper board of that county is in readiness to act conjointly with them in the location, deepening or widening of said ditch, drain or water-course, they are

Joint inter-
state county
ditches.

Petition.

Bond.

Notice from
official of
other state.

Order for consultation and meeting to view line.

hereby authorized and empowered to instruct the auditor of their county to consult with the proper official of the county or counties so desiring to act jointly, and to fix upon a time when and where they shall meet the proper board of said county, and with them proceed to view the line of said route prayed for,

Notice by county auditor.

SECTION 2. It shall be the duty of the county auditor, on the filing of any petition and bond as aforesaid, to notify in writing, of the filing of said petition and bond, the proper official of the county of the adjoining state, and the auditor of any county of Ohio in which land is situated which will be affected by the prayer of said petition, a copy of each of which shall be attached thereto.

Meeting and organization of joint board.

SECTION 3. Having received notice by the county auditor of said time and place of meeting, the commissioners shall proceed at the time stated to place of meeting agreed upon, and if they find a majority of each proper board present, they shall decide that they have a quorum present, and shall form themselves into a joint board for the purpose before them, by electing one of their number as president, and another as clerk; provided, that the president and clerk shall not both be selected from the board representing the same state.

Vote of Ohio members.

SECTION 4. Without regard to number of each board present, the members from Ohio shall have the casting of one-half ($\frac{1}{2}$) of all votes on all questions, which vote shall be represented equally by the different members present of the board or boards from Ohio.

Adjournment for lack of quorum.

SECTION 5. If the board of the different counties of the state, or a quorum of the board of each county affected, fail to meet, they shall adjourn until such time as they shall receive notice, as provided in sections one (1) and two (2) of this act.

View of route petitioned for.

SECTION 6. Having resolved themselves into a joint-board, with the board or boards of other states, as provided for in section 3 of this act, and having found that a petition and bond conditioned, as required by law has been filed, they shall proceed to view the route petitioned for; and if they find the improvement so prayed for is necessary, and will be conducive to public health, welfare or convenience, and that the route prayed for is the best one to accomplish the desired relief, they shall proceed to locate the ditch, or order the widening or deepening of the ditch, drain or water-course in substantial conformity with the prayer of said petition. But if, in their opinion, the route described is not the best, they shall proceed to locate the improvement on the route best adapted to secure the relief desired, with the best contingent results, and may locate all the necessary branch ditches; but if they find against the location, deepening or widening of said improvement, no further proceedings shall be had under this petition, after said report, and the costs shall be collected of the petitioners and their bondsmen.

Finding for the improvement.

Locating on another route; branch ditches.

Finding against the improvement.

SECTION 7. The joint-board shall have authority to locate that part in Ohio of the main ditch, or any of its tributaries, which will lie partially in both states, or which will drain lands of both states.

Power of joint board to locate.

SECTION 8. If the joint-board find it necessary to employ an engineer to determine the proper route on which the ditch or its branches should be located, they are authorized to do so; provided, that no engineer shall be employed by the joint-board until the said board have determined that such improvement is necessary for the public welfare, health or convenience.

Employment of engineer to determine proper route.

SECTION 9. The joint-board shall have power to determine upon the necessary capacity of the part of said improvement located in the state of Ohio.

Capacity of improvement.

SECTION 10. In their view of route and deliberations over the same, the members of Ohio of the joint-board may adjourn from time to time, not exceeding in the aggregate sixty (60) days.

Adjournments.

SECTION 11. The clerk of the joint-board shall make out a full report of their proceedings and findings, signed by himself and the president of the joint-board, which shall be read before the said board. A copy of this report shall be sent to the county auditor of each county affected in Ohio, and to the proper officer of each county affected in the other state.

Report of finding and proceedings.

SECTION 12. After the adjournment of the joint-board, if their report is in favor of the location, the members of said board from Ohio shall proceed to select a competent engineer, to meet one to be appointed by the proper authorities of the other said state joining with them in the proceedings.

Engineers to locate ditch.

SECTION 13. It shall be the duty of the engineer so appointed to file a bond, with the auditor of each county in Ohio, affected, by said improvement, in the sum of one thousand (\$1,000) dollars, with two approved sureties to the same, conditioned to the faithful performance of his duties as said engineer.

Bond.

SECTION 14. The said engineer shall proceed, with the duly appointed engineer from the adjoining state joining in the matter, to definitely mark out the line of said improvement by setting a stake at every one hundred (100) lineal feet, on the line of ditch and its branches. Each stake shall be numbered, beginning at head of ditch at "O," and numbering consecutively to outlet. Grade megs shall be set at or opposite such numbered stake, from which all measurements shall be based and permanent bench marks shall be established, on or near line of said ditch, at a distance not greater than two thousand (2,000) lineal feet. At each angle a stake shall be set, and witnessed by two permanent witnesses.

Staking improvement.

Grade megs and bench marks.

SECTION 15. They shall, on all the line of improvement within this state, take all the levels and notes necessary to, and shall make a plat and profile of all said line; which plat shall show the entire line of said ditch, with all angles accurately located, together with all fence, line, road or rail crossings, together with all lands or lots affected by this improve-

Plat and profile.

Schedules.	ment, properly and accurately located thereon. The profile shall show the surface of grade megs, the depth of old ditch or stream, and depth of proposed improvement at each stake throughout, and the grade or fall of the bottom of proposed improvement. The report shall also include schedules, showing necessary widths, top and bottom, and depth at each stake, together with the number of cubic yards in each one hundred lineal feet of ditch, and also the total number of cubic yards so to be excavated throughout the entire line of said ditch.
List of lands affected by improvement.	The report shall also state the number of acres of land in each state adjudged by them to be affected by the improvement and benefited thereby, with a list thereof, showing description and ownership as shown on tax duplicate, together with their estimate of cost per cubic yard for work, and their estimate of total cost of construction of that part of ditch situated in each state, together with an estimate of total cost of location. They shall also in their report make an apportionment, as they may think fair and just, of the costs of location and construction between the two states.
Estimate of cost.	
Apportionment of costs.	
Copy of engineers' report.	SECTION 16. A copy of the said report of the engineers, embracing all the matters described within and duly certified to by each, shall be sent to the proper official of each county affected in each state.
Duty of auditor on receipt of report.	SECTION 17. On the receipt of the report of the engineers as aforesaid, the auditor shall notify [] of the receipt of said report as in the case of filing of petition and bond, but need not send a copy of the report received. And shall proceed as provided for in sections 1 and 2 of this act, to fix upon a time and place for the meeting of the joint-board. After which he shall notify the commissioners of the receipt of said report and the time and place of meeting.
Rules governing board.	SECTION 18. The joint-board on assembling, shall be governed by the same rules as provided elsewhere in this act. And they may call to their assistance the engineers who located the improvement.
Amendment or approval of report.	SECTION 19. They shall approve, or amend and approve, of the report so filed by the engineers. And the report so approved by them, shall be a final division of the estimated costs of construction, and the entire costs of location between the states. They shall send a copy of their report, duly certified to by the president and clerk of the board, to the proper official of each county affected in the other state, and to the county auditor of each county affected in Ohio. Their adjournment shall be subject to a call of a majority of the members of either state, notice of which shall be given as provided for in preceding section.
Copy of report.	
Called meetings.	
Power to enter upon lands.	SECTION 20. The proper authorities in the adjoining state, joining with the counties in Ohio, are hereby authorized and granted the privilege of entering upon lands or causing the same to be done in this state, along any portion of said located ditch or its tributaries, to perform any work which may be assigned them to do by the joint-board when in session, as provided for in this act.

SECTION 21. The commissioners of the county or counties in Ohio, affected by such improvement, shall proceed to order some competent engineer to make a division of said costs of location and construction so apportioned to Ohio, among the lands so affected as named in the list of lands affected, submitted by report of engineers of joint-board.

Division of costs among lands affected.

SECTION 22. The further proceedings shall be in conformity with the existing statutes for the location of county or joint county ditches taken at this stage of the proceedings. The commissioners, at their hearing on the apportionment made, as provided in section 20 of this act, shall have authority to assess any other lands not mentioned in first report of engineers, provided for in section 16 of this act, as they may deem to be benefited thereby; provided, that the owners of said lands shall have due notice thereof.

Further proceedings.

Assessment of lands not contained in engineers' report.

SECTION 23. The commissioners of any county or counties in this state, in which are located lands affected and charged for the improvement or construction of any ditch, drain or water-course, under the provisions of this act, are instructed to cause to be performed any work which may be assigned to them outside of the limits of this state, in the same manner as under the existing statutes for similar duties; provided, that the necessary privilege to do so has been granted by the state legislature of the state where said lands are located through which the said work is to be constructed.

Work beyond state limits.

SECTION 24. The fees of all officials and assistants under this act, shall be the same as for like services in county ditch work.

Fees.

SECTION 25. All claims for compensation and damages shall be filed with the county auditor on or before the day of hearing on the apportionment. And all such claims allowed, together with costs of location actually incurred, shall be paid out of the county fund.

Claims for compensation, damages, etc.

SECTION 26. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 292].

AN ACT

To amend the act entitled "an act to revise and consolidate the statutes relating to the organization and jurisdiction of the circuit and other courts," passed February 7, 1885, (82 O. L. 16), and to create the eighth circuit.

Circuit
courts :

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 445 of section three of the above entitled act be amended so as to read as follows :

Counties com-
posing first
circuit.

SEC. 445. The state shall be divided into eight judicial circuits, as follows :

Second cir-
cuit.

The counties of Hamilton, Clermont, Butler, Warren and Clinton shall constitute the first circuit.

The counties of Preble, Darke, Shelby, Miami, Montgomery, Champaign, Clarke, Greene, Fayette, Madison and Franklin shall constitute the second circuit.

Third circuit.

The counties of Mercer, Van Wert, Paulding, Defiance, Henry, Putnam, Allen, Auglaize, Hancock, Hardin, Logan, Union, Seneca, Marion, Wyandot and Crawford shall constitute the third circuit.

Fourth cir-
cuit.

The counties of Brown, Adams, Highland, Pickaway, Ross, Pike, Scioto, Lawrence, Gallia, Jackson, Meigs, Vinton, Hocking, Athens, Washington and Monroe shall constitute the fourth circuit.

Fifth circuit.

The counties of Morrow, Richland, Ashland, Knox, Licking, Fairfield, Perry, Morgan, Muskingum, Coshocton, Holmes, Wayne, Stark, Tuscarawas and Delaware shall constitute the fifth circuit.

Sixth circuit.

The counties of Williams, Fulton, Wood, Lucas, Ottawa, Sandusky, Erie and Huron shall constitute the sixth circuit.

Seventh cir-
cuit.

The counties of Lake, Ashtabula, Geauga, Trumbull, Portage, Mahoning, Columbiana, Carroll, Jefferson, Harrison, Guernsey, Belmont and Noble shall constitute the seventh circuit.

Eighth cir-
cuit.

The counties of Cuyahoga, Summit, Medina and Lorain shall constitute the eighth circuit.

Judges of the
third, sixth
and eighth
circuits.

SEC. 445a. The circuit judge heretofore elected in the sixth circuit, and now residing therein, as constituted by this act, shall continue to be judge of said circuit until the end of his term, and the two judges of said sixth circuit, heretofore elected therein, but now resident within the eighth circuit, as constituted by this act, shall be judges of said eighth circuit until the end of their terms, and there shall be elected by the electors of the sixth circuit, on the first Tuesday in November, 1887, two circuit judges, one to serve for five years, and one to serve for one year, from the ninth day of February, A. D. 1888; and at the annual elections next preceding the expiration of their terms of office respectively, their successors shall be elected for the full term of six years; and there shall also be elected, by the electors of the eighth circuit, on the first Tuesday in November, A. D. 1887, one circuit judge

Election of
judges in cer-
tain circuits.

for the term of three years, from the ninth day of February, A. D. 1888, and at the annual election next preceding the expiration of his term, his successor shall be elected for the full term of six years.

The circuit judges of the third and sixth circuits shall continue to hold their offices and perform all their duties as judges of said third and sixth circuits until the ninth day of February, 1888, the same in all respects as though this act had not been passed.

Judges third and sixth circuits.

The certificate of the times of holding courts for the year A. D. 1888, in said sixth and eighth circuits, as the same shall be fixed by the judges of the circuit court at their annual meeting, on the third Tuesday of September, A. D. 1887, shall be signed and authenticated to the clerks of the circuit court in said courts, by the judges of the circuit court of the sixth circuit as heretofore constituted.

Certificates of times of holding courts.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 963].

AN ACT

To amend sections 1885 and 1895, as amended May 19, 1886, of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1885 and 1895, as amended May 19, 1886, of the Revised Statutes of Ohio, be amended so as to read as follows:

Cincinnati police:

SEC. 1885. The mayor shall nominate, and, with the approval of the commissioners, shall appoint secret detectives, not to exceed six in number, who shall be under his control, subject, however, to removal for cause or incompetency, on charges properly preferred, as required under the provisions of section 1881; and each secret detective thus appointed, shall receive as compensation a sum not exceeding fifteen hundred dollars per annum. Said compensation to be fixed by the mayor, subject, however, to the approval and consent of the commissioners; the mayor shall designate one of the secret detectives to act as chief of detectives, and he shall be responsible to the mayor and superintendent of police for the proper conduct and management of this branch of the police

Secret detectives.

Compensation.

Chief of detectives.

His additional compensation.

Contingent fund.

Compensation of officers and members.

service. Said chief of detectives may be allowed as additional compensation a sum not exceeding three hundred dollars per annum. The actual and necessary expenses incurred in more effectively carrying out the provisions of this section, shall be paid out of a fund, to be known as the contingent fund, which shall be monthly estimated by the mayor, and approved by the board.

SEC. 1895. The officers and members of the police force, shall receive compensations as follows: the superintendent of police, a salary of thirty-five hundred dollars per annum, ten hundred dollars of which sum shall be paid by the county in which such city is situated; the inspector of police shall receive a salary not exceeding fifteen hundred dollars; the police surgeon shall receive a salary not exceeding fifteen hundred dollars; lieutenants of police shall receive pay at the rate of seventy dollars per month for the first year, seventy-five dollars per month for the second year, eighty-five dollars per month for the third year, and for the fourth and subsequent years of their service, ninety dollars per month; patrolmen shall receive pay at the rate of sixty-five dollars per month during the first year of their service, seventy dollars during the second year of their service, seventy-five dollars per month for the third and subsequent years; and station house-keepers shall receive pay at the rate of fifty dollars per month; provided, however, that in estimating the length of service, those officers and policemen appointed from the force now existing in such city, shall receive credit for the faithful services rendered as such officers and policemen heretofore. The compensation of all clerks and other persons employed under the provisions of this subdivision, and not otherwise fixed, shall be determined by the commissioners.

SECTION 2. That said sections 1885 and 1895, as amended May 19, 1886, of the Revised Statutes of Ohio, are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD.
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 282].*

AN ACT

Supplementary to section 2559 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 2559 of the Revised Statutes, with sectional numbering as herein provided:

SEC. 2559a. In cities of the first grade of the first class, the board of public affairs of such cities may, by resolution, declare the necessity for the erection, completion and furnishing of a new city hall for any such city, to be used for the public offices of the corporation, and such public and other purposes as the council may authorize; and upon the passage of such resolution, the same shall be certified by said board to the trustees of the sinking fund of such city; and thereupon it shall be the duty of such trustees of the sinking fund to appoint a board of trustees, composed of four citizens of such city, not more than two of whom shall be from the same political party, to erect, complete and furnish a new city hall in such city; and upon the appointment, as aforesaid, of said trustees, all power to erect, complete and furnish a city hall for such city, shall devolve upon and be exercised by said board; and in exercising such power, and carrying out the object of their appointment, said board shall be governed by the following provisions:

1. Said board shall be known as the "board of city hall trustees." They shall receive no compensation for their services, but their necessary expenses in attending to their duties, shall be paid out of the fund hereinafter created for erecting and completing such city hall. All vacancies in the office of trustee shall be filled in the same manner, from the same political party as the original appointment.

2. Said trustees shall appoint from their number a chairman, and shall hold regular meetings at such times and places as they may agree upon, and special meetings under such regulations as they may prescribe, and shall cause to be kept a full record of their proceedings.

Cincinnati
city hall:Resolution of
board of pub-
lic affairs de-
claring neces-
sity for such
hall.Same to be
certified to
sinking fund
trustees.Appointment
of board of
trustees.Their general
powers.Provisions
governing.Title of board;
their ex-
penses.

Vacancies.

Chairman;
meetings;
record of pro-
ceedings.

*Two copies of the act marked "Senate Bill No. 282" were filed by the general assembly in the office of the secretary of state; one, printed on pages 95-99, on March 16, and the other, which is here printed, on March 21. The explanation of this fact is found in the following certificate made by the clerk of the senate in which the bill originated:

COLUMBUS, March 30, 1887.

This is to certify, That Senate Bill No. 282 passed the senate on the ninth day of February, 1887. The senate was informed, by message, on the ninth day of March, that the house of representatives had concurred in the passage of the bill. After the bill had been enrolled, signed and deposited in the office of the secretary of state, on the sixteenth day of March, it was discovered that the bill had been erroneously engrossed in the senate. The bill was then properly engrossed and returned to the house of representatives. The senate was notified, by message, on the seventeenth day of March, that the house had concurred a second time in the passage of the bill, said error in the engrossment thereof having been corrected.

The bill was then properly enrolled, and again signed and deposited, on the twenty-first day of March, in the office of the secretary of state.

Said bill, as enrolled, signed and deposited on the sixteenth day of March, was not re-called, from the secretary of state's office.

Attest: C. N. VALLANDIGHAM,
Clerk Ohio Senate.

**Employees of
board ; com-
pensation.**

**Plans and
contracts for
hall.**

**Advertising
for plans.**

**Reward for
best plans.**

Architect.

**Moneys, how
paid out.**

**Employees not
to be inter-
ested in con-
tracts.**

**Lithograph-
ing of plans ;
printing of
forms of bids,
etc.**

**Contracts and
contractors.**

3. Said trustees shall have power to appoint a clerk, an architect, a superintendent and other necessary employes; fix their compensation, and adopt a suitable plan for such city hall, and make all contracts for erecting, completing and furnishing the same; and no contract which they enter into, or alteration or modification thereof shall be valid, until assented to at a regular or special meeting, and concurred in by a majority of all the members, and such assent entered on the minutes of their proceedings. And it shall be the duty of such trustees, in securing the most suitable plan for such city hall, to advertise for not less than four consecutive weeks, in such newspapers as they shall deem proper, both in and outside of such city, for plans of such city hall, and shall allow full and fair competition among all architects who shall desire to submit plans for such city hall; and in order to secure competition in the submission of plans, they may offer as a reward for each of the five best plans submitted, a sum not to exceed five hundred dollars (\$500), and may, in their discretion, pay to the party submitting the plan which is by them accepted, a sum not to exceed fifteen hundred dollars (\$1,500), or employ such person as architect in the erection of such building.

4. No money shall be expended on account of any city hall unless first authorized by said trustees, and upon warrants signed by their chairman and clerk, and upon the comptroller of such city, to be paid by the treasurer of such city upon the warrant of such comptroller, out of the fund hereinafter provided; and no trustee or person holding an appointment from said board, nor any officer or employe of the corporation, shall be interested, directly or indirectly, in any contract concerning such city hall.

5. Said trustees shall, before entering into any contract in respect to such city hall, cause plans and specifications, detailed drawings and forms of bids to be prepared; and when adopted by them they may, in their discretion, cause the plans and drawings to be lithographed, and the specifications and forms of bids, contracts and bonds to be prepared, and have the same printed for distribution among the bidders.

6. All contracts shall be made in writing, in the name of such city, and signed by the chairman and clerk of said board, and by the contractor. When it becomes necessary, in the opinion of said board, in the prosecution of the work, to make alterations or modifications in the contract, such alterations or modifications shall only be made by order of the board, and such order shall be of no effect until the price to be paid for the work or materials under such altered or modified contract has been agreed upon in writing, and signed by the contractor and all the members of said board; and no contractor shall be allowed to recover anything for work or materials caused by any alteration or modification, unless an order is made or agreement signed, as aforesaid; nor shall he in any case be allowed to recover more for such work or materials than said agreed price; and if when the board has

ordered an alteration or modification of a contract, the contractor and the board cannot agree upon the price to be paid for work or materials under such altered or modified contract, they shall submit the matter to arbitration; the board choosing one arbitrator and the contractor one, and these two a third; and the award of such arbitrators, or a majority of them, as to the price to be paid, shall be made in writing, and entered on the minutes of the board, and when so entered shall be binding on both parties.

Arbitration
of disputed
accounts.

7. If a contract, agreement or order, made or authorized by said board, be found to violate any of the provisions of this act, it shall at once become void and of no effect; and no money shall be paid or recovered for services rendered or material furnished thereunder.

Void con-
tracts.

8. Said board shall not enter into any contract for work in the erection and completion of such city hall, without first causing fifteen days' notice to be given in one or more newspapers of general circulation in such city, that sealed proposals will be received for doing the work or furnishing the materials; provided, that said board may procure plans thereafter in the manner above indicated, and shall not be required to advertise for bids for making or printing the drawings, specifications and forms of bids, contracts and bonds, nor for removing or disposing of any old building that it may be necessary to remove or dispose of.

Advertising
for proposals.

9. Said board, in furnishing such city hall, may make contracts without competitive bidding, if the board shall deem it expedient; and in case bids are called for for articles necessary for furnishing the whole or any part of such city hall, such advertisement shall be had as the board may think proper. And in all cases of competitive bidding, whether in the erection and completion, or furnishing of such city hall, no bid shall be received or considered by the board, which covers a patented material, process or device, until the person who owns or controls or has a contract for the exclusive use of such patented material, process or device, has entered into an agreement with the board, for the benefit of all bidders, as to the lowest price for which he himself will furnish, or which he will furnish to all bidders, such patented material, process or device.

Contracts for
furnishing.

Patented ma-
terials, etc.

10. All bids shall be enclosed in a sealed envelope, and deposited with the clerk of said board; and such sealed envelope shall have endorsed thereon the nature of the same, and the name of the bidder; and all bids shall be opened at a regular meeting of the board, and at an hour to be indicated in said notice. Each bid shall be accompanied with a bond, signed by sufficient sureties, for the acceptance of the contract if awarded by the board; or the bidder may deposit with the board, in lieu of such bond, a certified check, or cash, in such sum as the board shall indicate; and in case of refusal by the bidder to enter into a contract according to his bid, within such reasonable time as the board may determine, said bond shall be put in suit, and the amount collected paid

Making and
opening of
bids.

Bond.

Non-compli-
ance with
bids.

into the fund hereinafter provided; or if check or cash is deposited, the amount shall be immediately paid into such fund.

With whom
board shall
contract.

11. Said board shall enter into contracts with the lowest and best bidder, upon his giving bond to such city, with sureties as the board shall approve, that he will perform the work and furnish materials in accordance with his contract, and that the sureties agree in advance to such modifications and alterations as may be made by the board and the contractor, within the limit of the penal sum mentioned in the bond; and on failure of such bidder within a reasonable time, to be fixed by the board, to enter into bond with the sureties before provided, a contract may be made with the next lowest and best bidder, and so on, until a contract is effected with a contractor giving bond as aforesaid; provided, that the board may let the work in whole or in parts, and may receive bids for labor and material separately, as they may deem best, and may reject any and all bids.

Letting of
work in
whole or in
parts.

Issue of bonds
by board of
public affairs.

12. To provide a fund to pay the cost and expense of the erection, completion and furnishing of any city hall, under the provisions of this act, the board of public affairs of any such city shall, forthwith, upon receiving orders from said board of trustees, certified by its chairman and clerk, and from time to time and as often as said board of trustees think necessary, issue the bonds of such city, to an amount not to exceed in the aggregate seven hundred thousand dollars (\$700,000), for the erection and completion of such city hall. Said bonds shall be made payable at such time, and shall bear interest at such rate, not to exceed four per centum per annum, as said board of public affairs shall determine; said bonds shall be signed by the president of said board of public affairs, and the mayor of such city, and be attested by the comptroller of such city, and shall be secured by the pledge of the faith of such city, and a tax, which it shall be the duty of the council of such city annually to levy upon the taxable property of such city, and certify the same to the county auditor, upon a certificate to that effect from the trustees of the sinking fund of such city, as to the amount necessary to pay the interest thereon, and to provide a sinking fund for the final redemption of said bonds. Said tax shall be in addition to the amount now authorized to be levied for municipal purposes.

Levy of tax.

Sale of bonds.

13. Said board of public affairs shall receive bids for said bonds from time to time, as they may receive orders from said board of trustees to issue the same, after advertising the same for sale once per week for four consecutive weeks, on the same day of the week, in some newspaper of general circulation in such city, and shall sell the same for not less than their par value with accrued interest, to the highest bidder. The money arising from the sale of said bonds shall be placed in the city treasury, in a fund to be called the "city hall fund," and all warrants drawn upon the comptroller for payment out of said fund, shall designate on their face, "for erection and

City hall
fund.

completion," or "for furnishing," according as they are drawn for the one purpose or the other, and a careful account of the condition of said fund shall be separately kept by the comptroller of said city. And if upon the completion of any work under the provisions of this act, an unexpended balance of the fund shall remain in the city treasury, such balance shall be immediately turned over to the trustees of the sinking fund of such city, and applied by them to the sinking fund for the final redemption of the bonds issued under the provisions of this act.

14. Said board of trustees, in carrying out the object and purposes of this act, shall have full power to take possession and control of any property now used for a like purpose or in connection therewith, by any such city, and remove therefrom any old building standing thereon; and it shall be the duty of the board of public affairs of any such city, immediately on receiving notice from said board of its intention to commence work, to provide temporary quarters for the city officers, and they are hereby empowered to make leases for that purpose; and until the next semi-annual appropriation is made, the city council shall provide for the payment of rent for such temporary quarters, by appropriations from the general fund of such city.

Removal of
present build-
ings.

Temporary
quarters for
city officers.

15. Said board of trustees shall have power to appropriate, enter upon and condemn for public use, for enlarging any grounds already used by any such city for city hall purposes, and in connection therewith, any private property which shall lie adjoining to and not separated by a street or alley more than thirty feet in width from any property already used as aforesaid, or in connection therewith; and when said board shall determine to appropriate property for such use, a resolution to that effect shall be passed by the board, and entered upon its minutes, declaring the intention to appropriate such property and the necessity therefor, with a pertinent description of the property to be appropriated, which resolution shall be certified to the solicitor of such city, whose duty it shall then be to apply in writing, in the name of such city, to the court of common pleas of the county, or a judge thereof in vacation, or to the probate court of the county, for the impannelling of a jury to assess the compensation to be allowed the owners of property appropriated, in the manner provided in chapter 3, title XII, division 7 of the Revised Statutes, for appropriating private property to the use of municipal corporations; and all the proceedings hereunder, except as herein otherwise provided, shall be governed by the provisions of said chapter 3, title XII, division 7; provided, that if such proceedings are commenced in the probate court of the county, neither party shall have the right of appeal, but either party may institute proceedings in error, as provided by law. And the amount of compensation adjudged to any owner or owners, together with the cost and expense of such proceedings, shall be paid out of the fund hereinbe-

Appropriation of pri-
vate property.

fore provided for the erection and completion of such city hall.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 496].*

AN ACT

Making appropriations to pay certain deficiencies in the house contingent expenses.

Appropriation for house contingent fund deficiencies.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and hereby is appropriated from any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the sum of four hundred dollars (\$400) for the house contingent expenses.

SECTION 2. This act shall take effect and be in force from and after its passage.

[JOHN C. ENTREKIN,
Speaker of the House of Representatives.

[S. A. CONRAD,
President of the Senate.

Passed [March 21,] 1887.

*Senate Bill No. 496 passed the two houses of the general assembly on the twenty-first day of March, too late to obtain the signatures of the speaker of the house and president of the senate. After the adjournment, the clerk of the senate filed the enrolled copy, which is here printed, in the office of the secretary of state. The facts in reference to its passage are set forth in the following certificates made by the clerks of the senate and house:

COLUMBUS, April 1, 1887.

I hereby certify, That Senate Bill No. 496 was introduced in the senate on the twenty-first day of March, 1887; read the second and third times on that day, (the constitutional rule being dispensed with, in each case, by the requisite vote), and passed by the following vote: Yeas 23, nays 0.

A message was received from the house of representatives on the same day, to-wit: March twenty-first, notifying the senate of the concurrence, by that body, in the passage of said bill.

All of which appears upon the journal of the senate of March 21, 1887. I further certify, that the foregoing is a true copy of said bill, as the same was passed by the general assembly.

Attest: C. N. VALLANDIGHAM,
Clerk Ohio Senate.

OFFICE OF CLERK OF THE HOUSE OF REPRESENTATIVES. }
COLUMBUS, OHIO, April 1, 1887. }

This is to certify, That Senate Bill No. 496, by Mr. Rannells, was read the first time in the house of representatives March 21, 1887; second time, March 21, 1887; third time, March 21, 1887; and passed by a vote of seventy-eight yeas, nays none.

All of which appears on the journal of the house of representatives of the date herein named.

DAVID LANNING,
Clerk of the House of Representatives.

[Senate Bill No. 398].*

AN ACT

To amend section 6986 of the Revised Statutes of Ohio, as amended April 27, 1885, (O. L. 82, p. 161).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That supplementary section 6986aa of section 6986, as amended April 27, 1885, (O. L. 82, p. 161), be so amended as to read as follows:

SEC. 6986aa. No minor under the age of eighteen years shall be employed in any of the places named for a longer period than ten hours a day, and in no case shall the hours of labor exceed sixty in one week; and every employer shall post in a conspicuous place, in every room where such persons are employed, a printed notice, stating the number of hours required of them in each day of the week; the form of such printed notice shall be furnished by the chief inspector of workshops and factories, and shall be approved by the attorney-general; and it shall also be the duty of every employer of minors, to keep a record, which shall be open to the inspection of the chief inspector of workshops and factories and of his assistants, giving the name of each minor em-

Employment of minors under the age of eighteen in manufactories.

Notice.

Record.

*Senate Bill No. 398 passed the senate on February 18th, and the house on March 21st too late to obtain the signature of the president of the senate. After the adjournment, the clerk of the senate filed the enrolled copy, which is here printed, in the office of the secretary of state. The facts in reference to its passage are set forth in the following certificates made by the clerks of the senate and house:

COLUMBUS, April 1, 1887.

I hereby certify, That Senate Bill No. 398 was introduced in the senate the 11th day of February, 1887; was read the second time on the 14th day of February, and referred to the committee on labor; was reported from said committee on the 16th day of February, the recommendation of the committee being that the bill should pass; was read the third time, and passed, on the 18th day of February; the vote being yeas 25, nays 0.

A message was received from the house of representatives on the 21st day of March, notifying the senate of the concurrence by that body in the passage of said bill.

All of which appears upon the journals of the senate of the dates above given. I further certify that the foregoing is a true copy of said bill, as the same was passed by the general assembly.

ATTYST: C. N. VALLANDIGHAM,
Clerk Ohio Senate.

OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES. }

COLUMBUS, OHIO, April 1, 1887. }

I hereby certify, That Senate Bill No. 398, by Mr. Fassett, was read the first time in the house of representatives, February 21, 1887; second time, March 2, 1887, and referred to the standing committee on judiciary. On motion of Mr. Taylor, the standing committee on judiciary was discharged from further consideration of said bill, and said bill was referred to the standing committee on labor March 12, 1887. Reported back March 12, 1887.

Said bill was ordered read the third time, Monday next, to-wit: March 14, 1887.

On motion of Mr. Bader, Senate Bill No. 398, by Mr. Fassett, was read the third time March 21, 1887, and passed by a vote of yeas ninety-seven, nays none. The title was agreed to.

The joint committee on enrollment reported the bill properly enrolled March 21, 1887, and the speaker of the house, in the presence of the house, signed said bill.

All of which appears upon the journals of the house of representatives of the dates herein given.

DAVID LANNING,
Clerk of the House of Representatives.

ployed, his or her name, date and place of birth, and also present residence of the parents or guardians.

SECTION 2. Original section 6986aa is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

[S. A. CONRAD],
President of the Senate.

Passed [March 21,] 1887.

LOCAL AND SPECIAL ACTS.

[House Bill No. 689.]

AN ACT

To authorize the commissioners of Montgomery county to borrow money, to provide funds, so as to enable the commission as appointed, to carry out the provisions of an act passed May 19th, 1886, in and for Montgomery county, for the immediate relief of indigent Union soldiers, sailors and marines, and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors and marines.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Montgomery county, for the purpose of raising money for the purpose of relieving the pressing and immediate wants of indigent Union soldiers, sailors and marines, and the indigent wives, widows, and minor children of indigent or deceased Union soldiers, sailors and marines, who are now residents of said Montgomery county, be and they are hereby authorized to borrow an amount not exceeding five thousand dollars, at a rate of interest not exceeding six per cent. per annum, and issue the bonds, or rather obligations, of said county to secure the payment of the principal and interest thereon, the said interest shall be paid annually, and the principal shall be paid at such times as the commissioners may prescribe, within five years from the date of such indebtedness, and said bonds shall not be sold for less than their par value.

SECTION 2. Said commissioners shall annually, at their June session, levy such tax upon all the taxable property in said Montgomery county, in addition to all taxes now authorized by law to be levied, as will pay the interest upon the bonds so issued, and also provide a fund to pay the principal of said indebtedness as it may mature.

SECTION 3. The township trustees of the several townships, and the directors of the city infirmary, in said Montgomery county, are hereby authorized and required to make a written report to the county commissioners on or before the 31st day of January, 1887, containing a list of all the names of resident indigent Union soldiers, sailors and marines, or the indigent wives, widows, or minor children of the same, requiring aid, and who are entitled to relief under the provisions of this act, and any township trustee, or director of the city infirmary, failing to comply with the provisions hereof, upon conviction before the court of common pleas of said county, shall be fined in any sum not more than ten dollars, and the cost of prosecution.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed January 20, 1887.

[House Bill No. 731].

AN ACT

To authorize the commissioners of Miami county to levy an additional tax, and borrow money for the purpose of remedying the omission of the commissioners of said county to levy a tax for the year 1886, for the relief of indigent soldiers, sailors and marines, &c., as provided for in the act of May 19, 1886, and for the purpose of reimbursing the soldiers' relief commission of said Miami county for lawful outlays and expenses made by such commission under said act, for and during the years 1886 and 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Miami county are hereby authorized to levy for the year 1887, in addition to all taxes now authorized by law, a tax not exceeding one-tenth (1-10) of one mill upon the taxable property of said county, to be levied and collected as now provided by law for the assessment and collection of taxes.

SECTION 2. That the commissioners of Miami county, for the purpose of affording immediate relief to indigent soldiers, sailors and marines, and the indigent wives, widows, and minor children of indigent or deceased soldiers, sailors and marines, as aforesaid, are hereby authorized to borrow an amount not exceeding three thousand dollars, at a rate of interest not exceeding six per cent. per annum, payable semi-annually, and issue the bonds or other obligations of said county to secure the payment of the principal and interest thereon. The said interest shall be paid annually and the principal shall be paid at such times as the commissioners may prescribe, within three years from the date of such indebtedness, and said bonds shall not be sold for less than their par value.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed January 20, 1887.

[House Bill No. 723].

AN ACT

To authorize the village council of New Lisbon, Columbiana county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of New Lisbon, Columbiana county, Ohio, be and is hereby authorized to transfer the sum of twelve hundred and fifty dollars (\$1,250) from the town hall and village prison fund to the water-works fund.

...the purpose of paying for the construction of
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WILLIAM C. KETCHUM, JR.
Speaker of the House of Representatives
JAMES F. KETCHUM, JR.
President of the Senate

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thence north eighty rods, thence west eighty rods, thence south eighty rods, thence west eighty rods, thence south one hundred and sixty rods, thence west eighty rods, thence south eighty rods, thence east to the road near the residence of Allan Marshall, thence south along said road to the state road known as the Grade road; thence east along said Grade road to west line of section eighteen, thence south along said west line to south-west corner of said section eighteen, thence east to the south-east corner of section eighteen, thence north along east line of said section eighteen to the north-east corner of said section; thence east along the south line of section twelve in said township one hundred and sixty rods, thence north one hundred and sixty rods, thence west one hundred and sixty rods to the east line of section thirteen, thence north one hundred and sixty rods to the place of beginning.

SECTION 2. Such sub-school district shall be governed and controlled in all respects by such laws as now are or may hereafter be in force relating to sub-school districts, and shall be under the control and subject to the board of education of such Jackson township; provided, there shall be elected in the aforesaid sub-district on the second Monday of April next three local directors; one to serve for one year, one for two years and one for three years in the same manner as is provided by law.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 21, 1887.

[Senate Bill No. 311].

AN ACT

To amend section one of an act, passed January 20, 1887, "to authorize the commissioners of Guernsey county to construct certain free turnpike roads."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That section one of an act to authorize the commissioners of Guernsey county, Ohio, to construct certain free turnpike roads be amended to read as follows:

SEC. 1. That the county commissioners of Guernsey county, Ohio, are hereby authorized to construct the following free turnpike roads: One commencing at the intersection of Pike and Main streets, in the village of Quaker City, in said county, thence in a northerly direction, by the most eligible and practicable route, to the National road; also, one other turnpike road commencing at the county bridge over Leatherwood creek, at the village of Lore City, in said county, and thence in a northeasterly direction to the village of Washington, in same county; and in locating such roads said commissioners may locate the same upon the whole or any part of any state or county roads heretofore laid out and established, and widen, alter, change or vacate the same or any part thereof, and shall have power to lay out, locate and survey such turnpikes through any im-

proved or unimproved lands; and are hereby authorized for that purpose to adjust matters of compensation and damage with land owners when it can be done without sacrificing the interests of the county, otherwise to condemn and appropriate the necessary lands therefor in pursuance of the laws of Ohio for the appropriation of private property for public purposes and the payment of compensation therefor; said roads shall be opened not more than sixty nor less than forty feet wide.

SECTION 2. Said original section 1 be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed January 24, 1887.

[House Bill No. 763].

AN ACT

To authorize the commissioners of Licking county to borrow money to provide funds, so as to enable the commission as appointed to carry out the provisions of an act passed May 19, 1886, in and for Licking county, for the immediate relief of indigent Union soldiers, sailors and marines, and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors and marines.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Licking county, for the purpose of raising money for the purpose of relieving the pressing and immediate wants of indigent Union soldiers, sailors and marines, and the indigent, wives, widows and minor children of indigent or deceased Union soldiers sailors and marines who are residents of said Licking county, be and they are hereby authorized to borrow an amount not exceeding twenty-five hundred dollars, at a rate of interest not to exceed six per cent. per annum, and issue the bonds or other obligations of said county to secure the payment of the principal and interest thereon; the said interest shall be paid annually, and the principal shall be paid at such times as the commissioners may prescribe, within five years from the date of such indebtedness, and said bonds shall not be sold for less than their par value.

SECTION 2. Said commissioners shall, annually, at their June session, levy such tax upon all the taxable property in said Licking county, in addition to all taxes now authorized by law to be levied, as will pay the interest upon the bonds so issued, and also provide a fund to pay the principal of said indebtedness as it may mature.

SECTION 3. The township trustees of the several townships are hereby

authorized and required to make a written report to the county commissioners on or before the 31st of January, 1887, containing a list of all the names of resident indigent Union soldiers, sailors and marines, or the indigent wives, widows or minor children of the same.

SECTION 4. This act shall take effect and be in force from its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed January 25, 1887.

[House Bill No. 777].

AN ACT

To authorize the village council of Louisville, Stark county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of Louisville, Stark county, Ohio, be and it is hereby authorized to transfer nine hundred and sixty-two dollars and forty-two cents from the public building fund to the general purpose fund of said village.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed January 25, 1887.

[House Bill No. 734].

AN ACT

To authorize the board of education of Sycamore township, Wyandot county, Ohio, to transfer certain funds named therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Sycamore township, Wyandot county, Ohio, be and is hereby authorized to transfer one thousand one hundred and thirty-three dollars and thirteen cents (\$1,133.13) from the building fund to the incidental fund.

SECTION 2. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed January 25, 1887.

[House Bill No. 685].

AN ACT

To improve a certain road in Jefferson county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Jefferson county be and are hereby authorized to complete and further improve the free macadamized road from the Union cemetery gate on west Market street, Steubenville, to county infirmary, and for said purpose to use the full amount realized from the sale of county road bonds heretofore sold for the construction of said road.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 25, 1887.

[House Bill No. 776].

AN ACT

To authorize the council of the incorporated village of Nelsonville to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Nelsonville, in Athens county, be and hereby is authorized to transfer from the police fund of said village to the cemetery fund thereof the sum of five hundred dollars.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 26, 1887.

[House Bill No. 764].

AN ACT

To authorize the trustees of Camden township, Lorain county, to levy by tax one thousand dollars for the purpose of completing a soldiers' monument.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Camden township, Lorain county, Ohio, be and are hereby authorized to levy a tax during the current year on all the taxable property in said township, not to exceed in amount the sum of one thousand dollars, which shall be expended in aid of the erection of a soldiers' monument in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 26, 1887.

[House Bill No. 607].

AN ACT.

For the relief of Mrs. Katherine Travis and her minor child, Edna Grace Travis.

WHEREAS, On or about the first day of September, 1882, Edward K. Travis, a member of the fire department of Cincinnati, Hamilton county, died from the effects of disease contracted while obeying orders of his superior officer, contrary to the instruction given by his physician; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of trustees of the firemen's relief fund of Cincinnati, Hamilton county, Ohio, be and they are hereby authorized to pay to Katherine Travis, widow of said Edward K. Travis, deceased, and Katherine Travis, guardian of said Edna Grace Travis, a minor under sixteen years of age, daughter of said Edward K. Travis, deceased, such sums and amounts of money as the widow and minor child and children of deceased firemen are entitled to receive under the provisions of the act of the general assembly, passed March 24, 1886, said payments to begin from the time of the decease of said Edward K. Travis.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 26, 1887.

[Senate Bill No. 285].

AN ACT

To enable the trustees of the monumental association of Muskingum county to unite with the commissioners of that county in the erection of a monumental and armory building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the monumental association of Muskingum county and their successors be, and they are hereby authorized and empowered to unite with the commissioners of that county in the erection of a monumental and armory building on the real estate of the said association in the city of Zanesville in said county, and to make such agreement with said commissioners as to the plan and specifications of such building, as well as to the joint occupancy thereof by the national guard or militia and said association, as may be deemed equitable by said trustees and commissioners.

SECTION 2. If at any time said trustees or their successors shall determine that the interest of said association will be promoted by the sale of the real estate now owned and held by it, or any part thereof, such sale the said trustees and their successors are hereby authorized and empowered to make, publicly or privately, as well as to convey what may be sold in fee simple by good and sufficient deed or deeds to the purchaser or purchasers; but the proceeds shall be invested by said trustees without delay to the best advantage of the association, looking to the original object of the association.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 26, 1887.

[House Bill No. 807].

AN ACT

To authorize the board of education of Cambridge township, Guernsey county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Cambridge township school district, Guernsey county, Ohio, be and they are hereby authorized and empowered to transfer the sum of one thousand and sixty-four dollars and seventy-two cents from the building fund to the contingent fund of said district.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 28, 1887.

[House Bill No. 764].

AN ACT

To authorize the trustees of Camden township, Lorain county, to levy by tax one thousand dollars for the purpose of completing a soldiers' monument.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Camden township, Lorain county, Ohio, be and are hereby authorized to levy a tax during the current year on all the taxable property in said township, not to exceed in amount the sum of one thousand dollars, which shall be expended in aid of the erection of a soldiers' monument in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 26, 1887.

[House Bill No. 607].

AN ACT.

For the relief of Mrs. Katherine Travis and her minor child, Edna Grace Travis.

WHEREAS, On or about the first day of September, 1882, Edward K. Travis, a member of the fire department of Cincinnati, Hamilton county, died from the effects of disease contracted while obeying orders of his superior officer, contrary to the instruction given by his physician; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the board of trustees of the firemen's relief fund of Cincinnati, Hamilton county, Ohio, be and they are hereby authorized to pay to Katherine Travis, widow of said Edward K. Travis, deceased, and Katherine Travis, guardian of said Edna Grace Travis, a minor under sixteen years of age, daughter of said Edward K. Travis, deceased, such sums and amounts of money as the widow and minor child and children of deceased firemen are entitled to receive under the provisions of the act of the general assembly, passed March 24, 1886, said payments to begin from the time of the decease of said Edward K. Travis.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 26, 1887.

[Senate Bill No. 285].

AN ACT

To enable the trustees of the monumental association of Muskingum county to unite with the commissioners of that county in the erection of a monumental and armory building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the monumental association of Muskingum county and their successors be, and they are hereby authorized and empowered to unite with the commissioners of that county in the erection of a monumental and armory building on the real estate of the said association in the city of Zanesville in said county, and to make such agreement with said commissioners as to the plan and specifications of such building, as well as to the joint occupancy thereof by the national guard or militia and said association, as may be deemed equitable by said trustees and commissioners.

SECTION 2. If at any time said trustees or their successors shall determine that the interest of said association will be promoted by the sale of the real estate now owned and held by it, or any part thereof, such sale the said trustees and their successors are hereby authorized and empowered to make, publicly or privately, as well as to convey what may be sold in fee simple by good and sufficient deed or deeds to the purchaser or purchasers; but the proceeds shall be invested by said trustees without delay to the best advantage of the association, looking to the original object of the association.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 26, 1887.

[House Bill No. 807].

AN ACT

To authorize the board of education of Cambridge township, Guernsey county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Cambridge township school district, Guernsey county, Ohio, be and they are hereby authorized and empowered to transfer the sum of one thousand and sixty-four dollars and seventy-two cents from the building fund to the contingent fund of said district.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 28, 1887.

[House Bill No. 731].

AN ACT

To authorize the commissioners of Miami county to levy an additional tax, and borrow money for the purpose of remedying the omission of the commissioners of said county to levy a tax for the year 1886, for the relief of indigent soldiers, sailors and marines, &c., as provided for in the act of May 19, 1886, and for the purpose of reimbursing the soldiers' relief commission of said Miami county for lawful outlays and expenses made by such commission under said act, for and during the years 1886 and 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Miami county are hereby authorized to levy for the year 1887, in addition to all taxes now authorized by law, a tax not exceeding one-tenth (1-10) of one mill upon the taxable property of said county, to be levied and collected as now provided by law for the assessment and collection of taxes.

SECTION 2. That the commissioners of Miami county, for the purpose of affording immediate relief to indigent soldiers, sailors and marines, and the indigent wives, widows, and minor children of indigent or deceased soldiers, sailors and marines, as aforesaid, are hereby authorized to borrow an amount not exceeding three thousand dollars, at a rate of interest not exceeding six per cent. per annum, payable semi-annually, and issue the bonds or other obligations of said county to secure the payment of the principal and interest thereon. The said interest shall be paid annually and the principal shall be paid at such times as the commissioners may prescribe, within three years from the date of such indebtedness, and said bonds shall not be sold for less than their par value.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed January 20, 1887.

[House Bill No. 723].

AN ACT

To authorize the village council of New Lisbon, Columbiana county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of New Lisbon, Columbiana county, Ohio, be and is hereby authorized to transfer the sum of twelve hundred and fifty dollars (\$1,250) from the town hall and village prison fund to the water-works fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 ROBT P. KENNEDY,
President of the Senate.

Passed January 20, 1887.

[House Bill No. 736].

AN ACT

To change the name of La Fayette Hileman.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of La Fayette Hileman, a resident of Mahoning county, Ohio, be and the same is hereby changed so as to be read as follows, to-wit: La Fayette Rhodes.

SECTION 2. That such change shall in nowise affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 ROBT P. KENNEDY,
President of the Senate.

Passed January 20, 1887.

[House Bill No. 744].

AN ACT

To authorize the board of education of the village of Higginsport, Brown county, Ohio, to issue bonds to pay existing debts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of Higginsport, Brown county, Ohio, be and the said board is hereby authorized and empowered to issue bonds for an amount not exceeding six thousand dollars, payable at such time, not exceeding five years, as said board may determine. Said bonds shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be issued in such amounts as the board shall determine, and shall be numbered consecutively and be signed by the board officially; the clerk of the board shall keep a record of the number, date, amount, and rate of interest of each bond sold, the sum for which and the name of the person to whom sold, and the time when payable, which record shall be open to the inspection of the public at all reasonable

times. Said bonds shall not be sold for less than their par value, and the funds arising from the sale thereof shall be used only in payment of the present indebtedness of said school district.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed January 20, 1887.

[Senate Bill No. 220].

AN ACT

To authorize the commissioners of Guernsey county, Ohio, to construct certain free turnpike roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Guernsey county, Ohio, are hereby authorized to construct the following free turnpike roads, one commencing at the intersection of Pike and Main streets, in the village of Quaker City, in said county, thence in a northwesterly direction by the most eligible and practicable route to the national road, as near the village of Middletown as practicable; also, one other turnpike road commencing at the county bridge over Leatherwood creek, at the village of Lore City in said county, and thence in a northeasterly direction to the county infirmary, and thence in a northerly and northwesterly direction to the village of Washington, in the same county; and in locating such roads said commissioners may locate the same upon the whole or any part of any state or county roads heretofore laid out and established, and widen, alter, change or vacate the same or any part thereof, and shall have power to lay out, locate and survey such turnpikes through any improved or unimproved lands; and are hereby authorized for that purpose, to adjust matters of compensation and damage with land-owners when it can be done without sacrificing the interests of the county, otherwise to condemn and appropriate the necessary lands therefor in pursuance of the laws of Ohio for the appropriation of private property for public purposes and the payment of compensation therefor; said roads shall be opened not more than sixty nor less than forty feet wide.

SECTION 2. Upon the presentation to said county commissioners of petitions praying for the construction of said turnpikes, signed by twenty-five or more landholders along the line of each of said roads, it shall be the duty of said county commissioners to determine the character of the turnpikes to be constructed, and appoint three disinterested freeholders of said county as viewers of the proposed routes, and also a competent surveyor or engineer to lay out and locate said roads in accordance with the prayer of said petitions; and said viewers and engineer shall perform said duties as directed by said commissioners, and shall make an estimate

of the cost and expenses of locating and constructing said turnpikes, and shall make report of their proceedings, duly verified, to said commissioners at such time as they may direct.

SECTION 3. That said county commissioners, if they approve said report and find that the said proposed improvements will be of public utility, as reported by said viewers and engineer, shall, by an order entered of record, locate and establish the line of said turnpikes, and shall duly proceed to carry into execution the construction of the same, and shall, in respect to the appropriation of materials for the construction of said turnpikes, and in respect to the letting of contracts for work thereon, be governed by the provisions contained in titlesix, chapter eight, of the Revised Statutes of Ohio, in relation to two-mile assessment turnpikes.

SECTION 4. That for the purpose of paying for the construction of said turnpike roads, said commissioners are hereby authorized and directed to issue the bonds of said county in the sum of thirty thousand dollars, and negotiate the same or such portion thereof as may be necessary to build said turnpike roads as contemplated by this act; said bonds to be issued in sums of not less than one hundred nor more than one thousand dollars each, to run from three to ten years, bear six per cent. interest, payable semi-annually, be signed by the commissioners, countersigned by the auditor and duly registered, and not negotiated for less than their par value.

SECTION 5. That for the purpose of paying said bonds and the accruing interest thereon, as the same mature, the said board of commissioners are hereby authorized and empowered to levy annually upon the general tax duplicate of said county, a tax not exceeding one-fourth of one mill, to be levied and collected as now provided by law, and the proceeds thereof as collected to be applied to the payment of said bonds and interest until the same are fully paid off and discharged.

SECTION 6. The persons appointed to perform services under this act, shall be the same as now provided by law for such services in similar cases.

SECTION 7. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROBT. P. KENNEDY,
President of the Senate.

Passed January 20, 1887.

[House Bill No. 730].

AN ACT

To create a sub-school district in Jackson township, Coshocton county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the territory hereinafter described be and the same is hereby created and declared to constitute a sub-school district in Jackson township, Coshocton county, Ohio, to-wit: Beginning at the north-east corner of section thirteen (13) in the fifth township and seventh range and running thence west eighty rods, thence north eighty rods, thence west eighty rods, thence south two hundred and forty rods, thence west eighty rods,

thence north eighty rods, thence west eighty rods, thence south eighty rods, thence west eighty rods, thence south one hundred and sixty rods, thence west eighty rods, thence south eighty rods, thence east to the road near the residence of Allan Marshall, thence south along said road to the state road known as the Grade road; thence east along said Grade road to west line of section eighteen, thence south along said west line to south-west corner of said section eighteen, thence east to the south-east corner of section eighteen, thence north along east line of said section eighteen to the north-east corner of said section; thence east along the south line of section twelve in said township one hundred and sixty rods, thence north one hundred and sixty rods, thence west one hundred and sixty rods to the east line of section thirteen, thence north one hundred and sixty rods to the place of beginning.

SECTION 2. Such sub-school district shall be governed and controlled in all respects by such laws as now are or may hereafter be in force relating to sub-school districts, and shall be under the control and subject to the board of education of such Jackson township; provided, there shall be elected in the aforesaid sub-district on the second Monday of April next three local directors; one to serve for one year, one for two years and one for three years in the same manner as is provided by law.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed January 21, 1887.

[Senate Bill No. 311].

AN ACT

To amend section one of an act, passed January 20, 1887, "to authorize the commissioners of Guernsey county to construct certain free turnpike roads."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That section one of an act to authorize the commissioners of Guernsey county, Ohio, to construct certain free turnpike roads be amended to read as follows:

SEC. 1. That the county commissioners of Guernsey county, Ohio, are hereby authorized to construct the following free turnpike roads: One commencing at the intersection of Pike and Main streets, in the village of Quaker City, in said county, thence in a northerly direction, by the most eligible and practicable route, to the National road; also, one other turnpike road commencing at the county bridge over Leatherwood creek, at the village of Lore City, in said county, and thence in a northeasterly direction to the village of Washington, in same county; and in locating such roads said commissioners may locate the same upon the whole or any part of any state or county roads heretofore laid out and established, and widen, alter, change or vacate the same or any part thereof, and shall have power to lay out, locate and survey such turnpikes through any im-

proved or unimproved lands; and are hereby authorized for that purpose to adjust matters of compensation and damage with land owners when it can be done without sacrificing the interests of the county, otherwise to condemn and appropriate the necessary lands therefor in pursuance of the laws of Ohio for the appropriation of private property for public purposes and the payment of compensation therefor; said roads shall be opened not more than sixty nor less than forty feet wide.

SECTION 2. Said original section 1 be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 24, 1887.

[House Bill No. 763].

AN ACT

To authorize the commissioners of Licking county to borrow money to provide funds, so as to enable the commission as appointed to carry out the provisions of an act passed May 19, 1886, in and for Licking county, for the immediate relief of indigent Union soldiers, sailors and marines, and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors and marines.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Licking county, for the purpose of raising money for the purpose of relieving the pressing and immediate wants of indigent Union soldiers, sailors and marines, and the indigent, wives, widows and minor children of indigent or deceased Union soldiers sailors and marines who are residents of said Licking county, be and they are hereby authorized to borrow an amount not exceeding twenty-five hundred dollars, at a rate of interest not to exceed six per cent. per annum, and issue the bonds or other obligations of said county to secure the payment of the principal and interest thereon; the said interest shall be paid annually, and the principal shall be paid at such times as the commissioners may prescribe, within five years from the date of such indebtedness, and said bonds shall not be sold for less than their par value.

SECTION 2. Said commissioners shall, annually, at their June session, levy such tax upon all the taxable property in said Licking county, in addition to all taxes now authorized by law to be levied, as will pay the interest upon the bonds so issued, and also provide a fund to pay the principal of said indebtedness as it may mature.

SECTION 3. The township trustees of the several townships are hereby

authorized and required to make a written report to the county commissioners on or before the 31st of January, 1887, containing a list of all the names of resident indigent Union soldiers, sailors and marines, or the indigent wives, widows or minor children of the same.

SECTION 4. This act shall take effect and be in force from its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed January 25, 1887.

[House Bill No. 777].

AN ACT

To authorize the village council of Louisville, Stark county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of Louisville, Stark county, Ohio, be and it is hereby authorized to transfer nine hundred and sixty-two dollars and forty-two cents from the public building fund to the general purpose fund of said village.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed January 25, 1887.

[House Bill No. 734].

AN ACT

To authorize the board of education of Sycamore township, Wyandot county, Ohio, to transfer certain funds named therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Sycamore township, Wyandot county, Ohio, be and is hereby authorized to transfer one thousand one hundred and thirty-three dollars and thirteen cents (\$1,133.13) from the building fund to the incidental fund.

SECTION 2. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed January 25, 1887.

[House Bill No. 685].

AN ACT

To improve a certain road in Jefferson county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Jefferson county be and are hereby authorized to complete and further improve the free macadamized road from the Union cemetery gate on west Market street, Steubenville, to county infirmary, and for said purpose to use the full amount realized from the sale of county road bonds heretofore sold for the construction of said road.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed January 25, 1887.

[House Bill No. 776].

AN ACT

To authorize the council of the incorporated village of Nelsonville to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Nelsonville, in Athens county, be and hereby is authorized to transfer from the police fund of said village to the cemetery fund thereof the sum of five hundred dollars.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed January 26, 1887.

[House Bill No. 764].

AN ACT

To authorize the trustees of Camden township, Lorain county, to levy by tax one thousand dollars for the purpose of completing a soldiers' monument.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Camden township, Lorain county, Ohio, be and are hereby authorized to levy a tax during the current year on all the taxable property in said township, not to exceed in amount the sum of one thousand dollars, which shall be expended in aid of the erection of a soldiers' monument in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 26, 1887.

[House Bill No. 607].

AN ACT.

For the relief of Mrs. Katherine Travis and her minor child, Edna Grace Travis.

WHEREAS, On or about the first day of September, 1882, Edward K. Travis, a member of the fire department of Cincinnati, Hamilton county, died from the effects of disease contracted while obeying orders of his superior officer, contrary to the instruction given by his physician; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of trustees of the firemen's relief fund of Cincinnati, Hamilton county, Ohio, be and they are hereby authorized to pay to Katherine Travis, widow of said Edward K. Travis, deceased, and Katherine Travis, guardian of said Edna Grace Travis, a minor under sixteen years of age, daughter of said Edward K. Travis, deceased, such sums and amounts of money as the widow and minor child and children of deceased firemen are entitled to receive under the provisions of the act of the general assembly, passed March 24, 1886, said payments to begin from the time of the decease of said Edward K. Travis.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 26, 1887.

[Senate Bill No. 285].

AN ACT

To enable the trustees of the monumental association of Muskingum county to unite with the commissioners of that county in the erection of a monumental and armory building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the monumental association of Muskingum county and their successors be, and they are hereby authorized and empowered to unite with the commissioners of that county in the erection of a monumental and armory building on the real estate of the said association in the city of Zanesville in said county, and to make such agreement with said commissioners as to the plan and specifications of such building, as well as to the joint occupancy thereof by the national guard or militia and said association, as may be deemed equitable by said trustees and commissioners.

SECTION 2. If at any time said trustees or their successors shall determine that the interest of said association will be promoted by the sale of the real estate now owned and held by it, or any part thereof, such sale the said trustees and their successors are hereby authorized and empowered to make, publicly or privately, as well as to convey what may be sold in fee simple by good and sufficient deed or deeds to the purchaser or purchasers; but the proceeds shall be invested by said trustees without delay to the best advantage of the association, looking to the original object of the association.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 26, 1887.

[House Bill No. 807].

AN ACT

To authorize the board of education of Cambridge township, Guernsey county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Cambridge township school district, Guernsey county, Ohio, be and they are hereby authorized and empowered to transfer the sum of one thousand and sixty-four dollars and seventy-two cents from the building fund to the contingent fund of said district.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed January 28, 1887.

[House Bill No. 693].

AN ACT

To authorize the commissioners of Paulding county, Ohio, to issue bonds to redeem outstanding bonds.

WHEREAS, By authority of an act of the general assembly of the state of Ohio, passed March 27, 1875, the county commissioners of Paulding county, Ohio, issued the bonds of said county to raise money for the purpose of building a county jail and bridges to the amount of twenty-five thousand dollars (\$25,000), bearing interest at the rate of eight per cent. per annum, which bonds were made redeemable at the pleasure of the commissioners of said county after ten years from their date; and

WHEREAS, Five thousand dollars (\$5,000) of said bonds have been paid, and twenty thousand (\$20,000) of said bonds are yet outstanding, and the commissioners of said county desire to refund the same at a lower rate of interest; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Paulding county are hereby authorized to issue the bonds of said county for the purpose of raising money to redeem said outstanding jail and bridge bonds, not to exceed twenty thousand dollars (\$20,000); said bonds shall be made payable at such time and place, in or out of the state, as the commissioners of said county shall determine, which shall be named in said bonds; provided, that the principal shall be made payable within twelve years from their date.

SECTION 2. Said bonds shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall have coupons attached thereto, and shall be made negotiable and transferable, and shall not be sold for less than their par value. Said bonds shall be signed by the county commissioners and countersigned by the county auditor of said county, who shall keep and preserve a record of each bond issued, in a book provided for that purpose.

SECTION 3. The commissioners of said county shall annually, at the June session; levy a tax in such amount as shall be necessary to pay the principal and interest as the same shall become due.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed January 28, 1887.

[House Bill No. 782].

AN ACT.

To authorize the council of the incorporated village of Camden, Preble county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Camden, Preble county, Ohio, be and the same is hereby authorized and empowered to transfer

four hundred and ninety-eight dollars and fifty-eight cents (\$498.58) from the building fund to the general fund, and one thousand and three dollars and eighty-nine cents (\$1,003.89) from the sinking fund to the general fund of said corporation.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed January 28, 1887.

[House Bill No. 749].

AN ACT

To authorize the commissioners of Lorain county to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Lorain county be and they are hereby authorized to transfer to the building fund from the poor fund of said county, a sum not exceeding three thousand dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed January 28, 1887,

[House Bill No. 735].

AN ACT

To authorize the village of DeGraff, Logan county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of DeGraff, Logan county, Ohio, be and is hereby authorized to transfer the sum of two hundred dollars from the street fund, and two hundred dollars from the reservoir fund to fire fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed January 28, 1887.

[House Bill No. 758].

AN ACT

To divide Amanda township, Fairfield county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Amanda, in the county of Fairfield, be and the same is hereby divided into two district precincts, as follows: That all the territory included within sections one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17) and eighteen (18) in said township, shall be the Royalton precinct in said township, and elections shall be held at Royalton, in said precinct and township. The balance of the territory of said township shall constitute and be called the Amanda precinct, and elections shall be held at Amanda in said precinct and township.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed January 28, 1887.

[House Bill No. 775].

AN ACT

For the relief of Amos Winklepleck.

WHEREAS, D. W. Bosley, late treasurer of Windham township, Portage county, Ohio, for the years 1885-86, having died while in office, leaving a deficiency of \$588.15 in the school fund of said township, belonging outside the special district, and \$161.61 deficiency in the township fund; and

WHEREAS, A few weeks prior to the death of said Bosley, Burrill A. Higley, whose name appears on the official bond of said treasurer, was also removed by death, and the estates of both Bosley and Higley were found to be in such condition as to leave the aforesaid deficiencies to be made up largely, if not wholly, by the remaining bondsman, Amos Winklepleck; and

WHEREAS, Taxpayers believed to represent ninety per cent. of the taxpayers interested in the aforesaid deficiencies, have petitioned this general assembly that the said Winklepleck be relieved from all the obligations of the treasurer's bond aforesaid.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Amos Winklepleck, one of the sureties on the official bond of D.

W. Bosley, late treasurer of Windham township, Portage county, Ohio, for the years 1885-86, be and is hereby released from all obligations of said bond whatsoever.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed January 28, 1887.

[Senate Bill No. 321].

AN ACT

To authorize the board of education of the village of Medina, Medina county Ohio, to issue bonds to erect a school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village school district of Medina, in the county of Medina, state of Ohio, be and it is hereby authorized to borrow a sum of money not to exceed fifteen thousand dollars (\$15,000), to be applied to the payment of the expense to be incurred by said board of education in the erection of a school building or buildings in said village and purchasing a site therefor if necessary.

SECTION 2. That for the purpose aforesaid, the board of education of said village is authorized to issue and sell the bonds of said village school district, to be signed by the president and clerk of said board of education, said bonds to be for sums not to exceed \$500, each bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, said bonds to be payable at such time, or times, not exceeding fifteen years from the respective dates thereof, as said board may determine; which bonds shall be sold for not less than their par value, and to be sold without compensation or commission, and said bonds may be made payable at any place to be designated in said bonds.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said board of education is authorized and empowered, annually, to levy a tax on all taxable property in said village school district of Medina, Ohio, not exceeding three (3) mills per annum on the dollar valuation, which levy may, if it become necessary, be in addition to that now authorized by law for school purposes, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected, paid over to the treasurer of said village school district.

SECTION 4. That at the annual election for municipal officers in the village of Medina, Ohio, to be held in April, A. D. 1887, there shall be submitted to the qualified voters of said village school district the question, "Shall school-house be erected, and bonds be issued therefor." Those of the qualified electors of said village school district, voting at this elec-

tion, who favor the erection of said school-house and the issue of bonds therefor, shall have written or printed on their ballots the words, "Shall school-house be erected, and bonds issued therefor—Yes;" and those opposing the same, the words, "Shall school-house be erected, and bonds issued therefor—No;" and if the majority of the ballots cast at said election shall have written or printed thereon the words, "Shall school-house be erected, and bonds issued therefor—Yes," then this act shall be in force, but not otherwise.

SECTION 5. This act shall take effect from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 1, 1887.

[House Bill No. 817].

AN ACT

To authorize the commissioners of Darke county, Ohio, to levy an additional tax and issue and sell bonds for the purpose of remedying the omission of the said commissioners to levy a tax for the year 1887, for the relief of indigent soldiers, sailors and marines, as provided in the act of May 19, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Darke county, Ohio are hereby authorized to levy for the year 1887, in addition to all taxes authorized by law, a tax not exceeding one-tenth of one mill upon the taxable property of said county, to be levied and collected as now provided by law for assessment and collection of taxes.

SECTION 2. The commissioners of Darke county, for the purpose of affording immediate relief to indigent soldiers, sailors, etc., as provided for in the act of May 19, 1886, are hereby authorized to borrow money, in amount not to exceed two thousand two hundred and fifty (\$2,250) dollars, at a rate of interest not exceeding six per cent. per annum, and issue the bonds of the county or other obligations of the county, to secure the payment of the principal and interest thereon. The said interest shall be payable semi-annually, and the principal shall be paid at such time as the commissioners may prescribe, within three years from the date of such indebtedness, and such bonds shall be sold according to law.

SECTION 3. This act shall take effect and be in force from its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 2, 1887.

[House Bill No. 808].

AN ACT

To authorize the trustees of the Christian Church of Quaker City, Guernsey county, Ohio, to sell and convey certain lands.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Christian Church, of Quaker City, Guernsey county, Ohio, be and they are hereby authorized to sell and convey the following property belonging to said church, to-wit: Beginning at a point sixty-two feet south of the north-west corner of lot fifteen in Cochran's addition to said village of Quaker City, thence east, forty-four feet, thence south, forty feet, thence west, forty-four feet, and thence north, forty feet, to the place of beginning.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 2, 1887.

[House Bill No. 857].

AN ACT

To authorize the village of Salem, Columbiana county, Ohio, to convey certain real estate.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village of Salem, Columbiana county, Ohio, be and the same is hereby authorized to convey to the home for aged women of Salem, Ohio, their successors and assigns, that certain lot or parcel of land, situated on the north side of West Main street in said village, and being the same premises which were devised to the said village by Tacey Wilson, deceased, by a will which has heretofore been duly admitted to probate by the probate court of said county of Columbiana, and which will and the record thereof are here referred to for a more full description of said premises; provided, that the council of said village of Salem shall, by a vote of three-fourths of all the members elected thereto, pass a resolution authorizing the mayor of said village to execute and acknowledge a proper deed for said premises, in the name of said village, conveying said premises to the home for aged women of Salem, Ohio, their successors and assigns forever.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 2, 1887.

[House Bill No. 739].

AN ACT

To authorize the trustees of Madison township, Sandusky county, Ohio, to transfer certain fund therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Madison township, Sandusky county, Ohio, are hereby authorized and empowered to transfer four hundred dollars, from the cemetery fund of said township, to the road and bridge fund of said township.

SECTION 2. This act to be in force on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed February 2, 1887.

[House Bill No. 737].

AN ACT

For the relief of Hiram Huffman, Joseph Dillery and Thomas I. Hale, sureties on the official bond of Robert C. Wilson, late township treasurer of Washington township, Hancock county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Hiram Huffman, Joseph Dillery and Thomas I. Hale, as sureties on the official bond of Robert C. Wilson, late township treasurer of Washington township, Hancock county, Ohio, be relieved from the payment of fifteen hundred dollars on said official bond.

SECTION 2. Before said relief shall be granted to said sureties, the question for such relief shall be submitted to the qualified voters of said township, at the regular spring election for township officers in 1887. And if two-thirds of all the votes cast be in favor of said release, the same shall be granted; and it shall be the duty of the township clerk of said township to post notices of such proposed relief in at least three of the most public places in each voting precinct in said township, at least ten days prior to said election.

SECTION 3. The tickets for said proposed relief shall have written or printed thereon the words, "For relief of sureties on official bond of Robert C. Wilson—Yes;" "For relief of sureties on official bond of Robert C. Wilson—No."

SECTION 4. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed February 2, 1887,

[House Bill No. 762].

AN ACT

To create a new election precinct in the township of Oregon, in the county of Lucas.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That all that part of Oregon township, Lucas county, Ohio, lying east of the section line running north and south, between, and separating sections seventeen, eight and five, from sections sixteen, nine and four, town ten, range nine, east, and also between, and separating sections thirty-two, twenty-nine and twenty, from sections thirty-three, twenty-eight and twenty-one, town nine, south, range nine, east, be and the same hereby is created into a new election precinct, to be designated as "Jerusalem precinct;" and the election precinct in said township west of said section line shall be designated as "Oregon precinct."

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD.

President pro tem. of the Senate.

Passed February 2, 1887.

[House Bill No. 772].

AN ACT

To authorize the council of the village of Wilmington, Clinton county, Ohio, to transfer certain funds, herein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Wilmington, Clinton county, Ohio, be and said council is hereby authorized and empowered to permanently transfer certain funds, as follows: the sum of four hundred dollars (\$400) from the hall and building fund to the street fund of said village; also, the sum of one thousand dollars (\$1,000) from the marshal and police fund to the street fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 2, 1887.

[House Bill No. 551.]

AN ACT

For the relief of Charles H. Johnston, treasurer of Fall township, Muskingum county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Fall township, Muskingum county, are hereby authorized and empowered to release Charles H. Johnston, late treasurer of said township, and his sureties on his official bond as treasurer of said township, from the payment of the following sum of money, to-wit: Eleven hundred and five dollars and ten cents; provided, however, that the said Charles H. Johnston as such late treasurer, shall, without recourse on him, fully transfer any and all certificates of deposit or other evidences of indebtedness which he holds against the late banking company of C. C. Russell & Company, of Zanesville, Ohio, to his successor in office, to be by such successor collected for the benefit of said Falls township; provided, that his successors shall only be held liable to the township trustees for the amount of dividends received from the receiver of said banking company on account of the same, or from its individual members or their executors or administrators respectively.

SECTION 2. This act shall be in force on and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 2, 1887.

[House Bill No. 676].

AN ACT

To authorize the village of Perrysville, Ashland county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Perrysville, Ashland county, Ohio, be and is hereby authorized to transfer the sum of eight hundred and fifty dollars from the water and fire fund to the general improvement fund; provided, that the question of transferring said fund shall, at the general election of said village, in April, 1887, be submitted to the legally qualified voters of said village; legal notice of the submission of said question shall be given for the time and in the same manner as is provided for the election of corporation officers, and if a majority of the votes cast at said election shall be in favor of said transfer, then this act to take effect and not otherwise.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 2, 1887.

[House Bill No. 771].

AN ACT

To authorize the Union county agricultural society to mortgage its land to pay debts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the Union county agricultural society be and is hereby authorized and empowered to mortgage its real estate for the purpose of borrowing money to pay its debts. The mortgage for such purpose shall be valid when signed by the president of said society.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 2, 1887.

[House Bill No. 793].

AN ACT

To provide for a sheriff's residence, and to complete and furnish the court house and jail in Belmont county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Belmont county are authorized and empowered to construct a sheriff's residence in connection with the new jail, to finish the jail, finish and furnish the court house in accordance with the requirements of the county, such finishing and furnishing to include cells and second and third stories of jail, plumbing, sewerage, drainage, ventilating, gas and steam fitting, fixtures, machinery, apparatus and grounds for court house and jail, and to provide for under-tile floors, hard wood finish, fixed and movable furniture, iron ceiling, lath and basement finish in court house.

SECTION 2. The said board of commissioners are authorized to modify the plans and specifications where necessary to provide for the improvements recited in section 1, or to let separate contracts therefor, when not in conflict with contracts heretofore made.

SECTION 3. To provide money to carry out the provisions of section 1, the board of commissioners are authorized to sell the bonds of the county, in such denominations as they deem best, in any sum not exceeding twenty-five thousand dollars, such bonds to be sold at not less than their par value, and draw interest at not to exceed six per cent. per annum, payable at the office of the county treasurer, semi-annually.

SECTION 4. To pay the principal and interest of such bonds as may

be issued under authority of the preceding section, and to pay for the improvements authorized by this act, said board of commissioners are authorized to levy a special tax upon the real and personal property of such county, at a rate not exceeding one and one-half ($1\frac{1}{2}$) mills in any one year.

SECTION 5. This act to take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 2, 1887.

[House Bill No. 840].

AN ACT

To authorize the city of Hamilton, Butler county, Ohio, to issue bonds for the purpose of repairing the supply basin of the water-works, and to purchase boilers for said water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Hamilton, Butler county, Ohio, be and the same is hereby authorized and empowered to issue bonds in any sum, not exceeding fifteen thousand dollars, bearing interest at a rate not exceeding five per cent. from date of issue, payable semi-annually, for the purpose of providing funds for the building of two boilers, and repairing two old boilers of the water-works, and the repairing and increasing the capacity of the supply basin to said water-works of said city.

SECTION 2. The principal of said bonds shall be payable at such times and at such place as the council of said city may determine by ordinance, and the said city council is hereby authorized to levy a tax upon all taxable property of said city, to pay said bonds and interest, not to exceed one mill on the dollar in any one year.

SECTION 3. Said bonds shall be signed by the mayor of said city, and countersigned and registered by the clerk of said city, and shall be issued in such amounts respectively, as will, in the judgment of said council, best subserve the negotiations and sale thereof, and shall not be sold for less than their par value.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 3, 1887.

[House Bill No. 770].

AN ACT

To authorize the council of the city of Defiance, Ohio, to borrow money for the purpose of building a bridge.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Defiance, Defiance county, Ohio, be and said council is hereby empowered and authorized to issue bonds, not to exceed the sum of fifty thousand (\$50,000) dollars, for the purpose of building over the Maumee river in said city, a good substantial bridge with the necessary approaches thereto, and having on each side thereof a good and sufficient sidewalk. Said bonds shall be of such denominations and bear such rate of interest not exceeding six per cent., payable semi-annually, and mature at such times, not exceeding twenty-five years, as said council may determine. And said bonds shall not be sold for less than their par value.

SECTION 2. That for the purpose of providing for the payment of said bonds and the interest thereon as they shall mature, said council is hereby authorized and required to levy, in addition to the taxes otherwise authorized by law, a tax upon all the taxable property of said city, which tax shall be levied and collected in the same manner as taxes for general purposes are levied and collected.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed February 3, 1887.

[House Bill No. 829].

AN ACT

To provide for fire-proof construction in the children's home building in Licking county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Licking county, Ohio, is authorized and empowered to provide for fire-proof construction in the children's home building to be erected in said county, and to render it as permanent and safe as possible.

SECTION 2. In order to provide money to pay any expense which may be incurred in carrying out section 1, said board is authorized to levy a special tax, in addition to what is now authorized by law, upon the real and personal property of the county, in any sum found necessary for

said purpose, not exceeding one mill on the dollar valuation, and not more than one-half of said tax shall be levied in any one year; but said board, to carry out the provisions of this act, are not authorized to sell the bonds of the county, except in anticipation of the revenue to be raised under this section; and such bonds, if any, including the interest thereon, shall be paid out of the taxes herein authorized to be levied.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed February 3, 1887.

[House Bill No. 283].

AN ACT

For the relief of Thomas O'Neill and J. W. McClay, privates in Company C, 13th Regiment, Ohio National Guard.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the auditor of the state of Ohio be and he is hereby authorized and required to issue his warrant on the state treasury to pay to Thomas O'Neill, two hundred and fifteen dollars (\$215), and J. W. McClay, thirty-five dollars (\$35), privates in Company C, 13th Regiment, Ohio National Guard, living at Manchester, Adams county, Ohio, out of any money in the treasury to the credit of the general revenue fund not otherwise appropriated, which sums shall be in full liquidation and payment to said Thomas O'Neill and J. W. McClay, for loss through sickness contracted by them while in the line of duty as members of the Ohio National Guard while in annual encampment, as required by law, at Richmond, Indiana.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed February 3, 1887,

[Senate Bill No. 270].

AN ACT

To change the name of John Joseph Zwilli.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of John Joseph Zwilli, a resident of Sandusky county, Ohio, be and the same is hereby changed so as to be and read as follows, to-wit: John Joseph Rich.

SECTION 2. That such change shall in nowise affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 3, 1887.

[House Bill No. 907].

AN ACT

To authorize the commissioners of Ross county to transfer funds in the treasury of said county on the books of the county auditor and treasurer.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of the county of Ross be and they are hereby authorized to cause to be transferred upon the books of the auditor and treasurer of said county, the sum of twelve thousand dollars from the poor fund of said county to the general revenue fund thereof.

SECTION 2. That this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 3, 1887.

[Senate Bill No. 296].

AN ACT

To change the name of Charles Lee Bryant.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the given and surname of Charles Lee Bryant, a resident of Crawford county, Ohio, be and the same is hereby changed to Charles Lee Ritzman.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 3, 1887.

[House Bill No. 818].

AN ACT

To amend an act entitled an act to straighten the boundary line between Auglaize and Logan counties, passed April 30, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the boundary line between Auglaize and Logan counties be changed so as to run parallel with section lines instead of angling across them as it now does; that said line be located as follows, to-wit: Commencing at the northeast corner of Shelby county, being the quarter corner to sections twenty-five and thirty-six, town six south, range seven east, and running thence east to the southeast corner of said section twenty-five, town six south, range seven east; thence north along the range line three and a half miles to the west quarter corner of section seven, town six south, range eight east; thence east along the quarter section line through sections seven, eight, nine, ten and fractional eleven, town six south, range eight east, to the west line of Valentine Peers, Virginia military survey, No. 12,276, original quantity 2,666½ acres; thence parallel to the south line of said survey No. 12,276 to the Hardin county line; thence south along said Hardin county line to the southwest corner of said Hardin county.

SECTION 2. The proposition to change the county lines of said counties as above provided, shall be submitted to the qualified electors of said counties at the next annual election, to be held on the second Tuesday of November, 1887. Those who are in favor of the change will indorse on their ballots "Change of county line—Yes." Those who are opposed will indorse on their ballots, "Change of county line—No." If a majority of

all the votes cast in each county shall be in favor of changing the county lines, then the boundaries of said counties shall hereafter be established as in section one of this act, and the lands changed hereby shall be transferred to the duplicate of the county in which they may become situate.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 3, 1887.

[Senate Bill No. 325].

AN ACT

To authorize the board of education of the village school district of the incorporated village of McArthur, Vinton county, Ohio, to issue bonds to obtain money to pay off an indebtedness recently incurred by said board for roofing the school building of said district, and to make other repairs needed for said building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the McArthur village school district, of McArthur, Vinton county, Ohio, and the territory annexed thereto for school purposes, be and it is hereby authorized and empowered to issue bonds not exceeding eighteen hundred dollars, to raise money to pay for roofing the school building and other repairs needed for said school building and the grounds surrounding the same; said bonds to be signed by the president and clerk of said board of education, and to be in sums of not less than fifty dollars (\$50), nor more than one hundred dollars (\$100), bearing interest at a rate not exceeding seven per cent., payable semi-annually, the principal and interest of said bonds to be payable as said board of education may direct, not exceeding eight years; provided, that said bonds shall not be sold for less than par value.

SECTION 2. That for the purpose of paying said bonds, and the interest thereon as the same may become due, the said board of education is hereby authorized and empowered to levy a tax upon the taxable property of said village school district of McArthur, Vinton county, Ohio, and the territory annexed thereto for school purposes, in such amounts annually, commencing in the year eighteen hundred and eighty-seven, as will be sufficient to pay the principal and interest of said bonds as the same may become due in each year, as said board of education shall determine.

SECTION 3. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 9, 1887.

[Senate Bill No. 315].

AN ACT

To authorize the commissioners of Pike county to accept the proposition of Abraham and Margaret Cutlip to convey certain real estate herein named for the purposes of an infirmary.

WHEREAS, Abraham Cutlip, and Margaret Cutlip, his wife, of Pike county, Ohio, on the 17th day of December, A.D. 1886, did make a written proposition to give and donate, by good and sufficient deed to the commissioners of said Pike county, for the use of said county for the purposes of a county infirmary, their certain farm of 56 acres, more or less, in the "Scioto bottoms," $1\frac{1}{2}$ miles south-west of the village of Waverly, and also their certain dwelling house and property in the village of Waverly, being in-lots Nos. 217 and 218 in said village, upon the conditions that the said county commissioners shall cause to be paid to the said Abraham and Margaret Cutlip, so long as they or either of them shall live, the sum of \$300 annually, year by year, and that they, the said Abraham and Margaret Cutlip, shall have the use and possession of their said town property so long as they both or either shall live; they, the said Abraham and Margaret Cutlip, to keep the said town property in repair, and pay the taxes thereon; the commissioners to have immediate and full possession of said farm property upon the consummation of the said proposition; and

WHEREAS, The said commissioners did, upon the 18th day of January, A. D. 1887, resolve that they, as said commissioners, would accept said proposition, and take the necessary legal steps to secure the benefit of said donation to the county, provided that such legislation was had as would enable them on their part to perform and carry into effect the terms and conditions of said proposition as of them required; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the said commissioners of Pike county be and they are hereby authorized to accept said proposition of said Abraham and Margaret Cutlip, for the use and benefit of Pike county infirmary purposes.

SECTION 2. That said commissioners, upon the consummation of said proposition and the execution of the necessary papers to vest the title to said properties in the county, are hereby authorized to cause to be paid to the said Abraham and Margaret Cutlip, out of the county treasury, the sum of \$300; and are authorized annually thereafter, upon the first day of September of each year, to pay the sum of \$300, or cause it to be paid to the said Abraham and Margaret Cutlip so long as they [or] either of them shall live.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed February 11, 1887.

[House Bill No. 862].

AN ACT

To authorize the board of education of the village of Montpelier, Williams county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of Montpelier, in Williams county, Ohio, be and are hereby authorized to borrow any sum, not exceeding twelve thousand dollars, for the purpose of building and furnishing a school house in said village, and for securing a site therefor.

SECTION 2. That for the purpose aforesaid, the said board are authorized to issue bonds, to be signed by the president and attested by the clerk of said board, in sums of not less than one hundred dollars, and not more than one thousand dollars, bearing interest at a rate not exceeding six per centum per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding twelve years from the respective dates thereof, as said board may determine; said bonds shall not be sold for less than their par value, and said bonds may, in the discretion of said board, have interest coupons attached.

SECTION 3. That for the purpose of paying the principal and interest of said bonds, said board of education may levy, annually, a tax not to exceed ten mills on the dollar of valuation of the property within said district, for twelve years, in addition to the levy now authorized by law.

SECTION 4. It shall be the duty of said board of education to submit said proposition to issue said bonds and levy said tax, to the qualified electors of said district, at the general election to be held in said district on the first Monday of April, 1887, or at a special election to be ordered for that purpose. If a special election is ordered, it shall be held within ninety days after the passage of this act. Fifteen days' notice of the proposed submission of said proposition to issue said bonds and levy said tax, shall be given by posting notices in five of the most public places in said district. The form of the ballots at said election on said proposition shall be as follows: "For school-house tax—Yes;" "For school-house tax—No;" and if a majority of the qualified voters at said election shall vote in favor of said proposition, said board of education shall be authorized to issue said bonds and levy said tax, but not otherwise.

SECTION 5. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 11, 1887.

[Senate Bill No. 369].

AN ACT

To authorize the trustees of Chatham township, Medina county, Ohio, to accept a soldiers' monument, move the same, vacate certain roads, and establish and protect a public park.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Chatham township, Medina county, Ohio, and their successors in office, shall have the right and are hereby authorized to accept from the "soldiers' monument association of Chatham" the soldiers' monument heretofore erected by the said monument association, and to provide for keeping the same in repair and removing the same to the park hereinafter provided for.

SECTION 2. The trustees of Chatham township, Medina county, Ohio, and their successors in office, are hereby authorized to vacate and discontinue the public road now passing through the center of said township, not exceeding a distance of three hundred feet north and south of a line running east and west through the center of said township, and not exceeding a distance of two hundred feet east and west of a line running north and south through the center of said township, and to use the same for a public park, and protect the same by a fence and to lay roads outside of and around the said park.

SECTION 3. Said park above provided for shall be under the control of the township trustees.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed February 15, 1887.

[Senate Bill No. 343].

AN ACT

To divide Green township, Summit county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Green, in the county of Summit, be and the same is hereby divided into two election precincts, as follows: That all the territory included within sections one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17) and eighteen (18), in said township, shall constitute and be called the East Liberty precinct, in said township, and elections shall be held at East Liberty, in said precinct and township. That all the territory included within sections nineteen (19), twenty (20), twenty-one (21).

twenty-two (22), twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), twenty-seven (27), twenty-eight (28), twenty-nine (29), thirty (30), thirty-one (31), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35) and thirty-six (36), in said township, shall constitute and be called the Greensburg precinct in said township, and elections shall be held at Greensburg, in said precinct and township.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 15, 1887.

[Senate Bill No. 334].

AN ACT

To authorize the commissioners of Brown county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Brown county, Ohio, be and they are hereby authorized to construct the following free turnpike road: beginning at a point in the village of Arnheim, and extending in a northerly direction, following the old road leading from Arnheim to Brownstown, or as near thereto as is deemed practicable, terminating at Brownstown, a distance of about two and one-half miles.

SECTION 2. Said county commissioners may, if they deem best, issue bonds for the construction of this road; provided, said bonds bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and shall be sold according to law, at not less than par.

SECTION 3. For the purpose of paying said bonds, the county commissioners are hereby authorized to levy a tax not exceeding one-sixth of one mill on the dollar annually, on all taxable property in said county.

SECTION 4. A majority of the said board of county commissioners shall, at a regular session, be necessary to agree upon specifications, and order said improvement, or any part thereof.

SECTION 5. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 15, 1887.

[Senate Bill No. 359].

AN ACT

To authorize the commissioners of Highland and Brown counties to release taxes now due on the Columbus and Maysville railroad.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Highland and Brown counties be and they are hereby authorized to release the taxes now due on the Columbus and Maysville railroad.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 15, 1887.

[House Bill No. 833].

AN ACT

To authorize the council of the village of Junction City, Perry county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Junction City, Perry county, be and the same is hereby authorized and empowered to transfer to the road fund, or such other fund, as said council may deem judicious, all of the police fund of said village which has accrued, or may hereafter accrue from year to year, under the act passed May 14, 1886, (O. L. vol. 83, p. 157), entitled "an act providing against the evils resulting from the traffic in intoxicating liquors," except so much thereof as may be required for police purposes.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 15, 1887.

[House Bill No. 944].

AN ACT

To authorize the commissioners of Holmes county to offer a reward for the arrest of burglars, robbers and other felons.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Holmes county, Ohio, are hereby authorized to offer and pay a reward (not to exceed three hundred dollars in any one case) for the arrest of burglars, robbers and other felons, such reward to be paid out of the county treasury on the warrant of the county auditor.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed February 15, 1887.

[House Bill No. 867].

AN ACT

To authorize the commissioners of Brown county, Ohio, to construct a free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Brown county, Ohio, be and they are hereby authorized and empowered to construct the following free turnpike road, beginning at a point in the Georgetown and Hamersville free turnpike road, where the turnpike from Feesburg intersects the same, thence in an easterly direction to Feesburg Station, on the Cincinnati, Georgetown and Portsmouth rail road. Said pike to be built on the line of the county road now connecting said points.

SECTION 2. The said county commissioners may, if they deem best, issue bonds for the construction of said road, said bonds not to bear interest at a rate to exceed six per cent. per annum and shall be sold at not less than par.

SECTION 3. For the purpose of paying said bonds said county commissioners are hereby authorized to levy a tax not exceeding one-tenth of one mill on the dollar on all the taxable property of said county annually.

SECTION 4. This act to take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 15, 1887.

[House Bill No. 886].

AN ACT

To authorize the county commissioners of Brown county, Ohio, to buy a certain turnpike therein described, and to maintain the same as a free turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Brown county be and they are hereby authorized to purchase, at a fair valuation, so much of the Zanesville and Maysville turnpike road as is situated, lying and being in Brown county, Ohio, leading from the village of Aberdeen in said county, to the Adams county line, being a distance of about four miles.

SECTION 2. Said county commissioners are hereby authorized to issue bonds for the purchase of said road, said bonds to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be sold according to law at not less than par.

SECTION 3. For the purpose of paying said bonds, said commissioners are hereby authorized to levy a tax, not to exceed one-fifth of one mill on the dollar annually, on all the taxable property in said county of Brown.

SECTION 4. This act to be in force on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 15, 1887.

[House Bill No. 811].

AN ACT

To authorize the city of Columbus to issue bonds for the purpose of buying land and erecting buildings thereon for the use of a public market in said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city of Columbus be, and the same is hereby authorized to purchase land and erect buildings thereon, for the use of a public market in said city, the aggregate cost of the same not to exceed ten thousand dollars, in the manner hereinafter provided.

SECTION 2. The council of said city is hereby authorized to issue and sell bonds not exceeding in amount ten thousand dollars, which may be used to buy land and erect buildings thereon, for the use of a public market in said city, and said bonds shall not be sold for less than the par value thereof, and the proceeds of such sale shall be applied to said purpose.

SECTION 3. Said bonds as aforesaid authorized to be issued and sold, shall be signed by the mayor and clerk of such city, and may be issued in denominations of not less than fifty dollars, nor more than one thousand,

bearing interest not exceeding six per cent. per annum, payable annually. Said bonds shall mature at such time as the council shall determine.

SECTION 4. For the payment of the principal and interest on said bonds, as the same shall become due, the council of said city is hereby authorized and required to levy a tax on all the taxable property within the corporate limits of said city, not exceeding one-tenth of one mill in any one year, to meet the principal and interest falling due upon said bonds, which levy shall be placed on the tax duplicate by the auditor of said county, and collected as other taxes.

SECTION 5. This act shall take effect from its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 15, 1887.

[House Bill No. 778].

AN ACT

To provide for building an armory in the county of Hamilton for the use of the Ohio National Guard, and to create a fund to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the governor shall appoint a board of trustees composed of three citizens of Hamilton county, not more than two of whom shall be from the same political party, to erect, complete and furnish a new armory building for the use of the resident Ohio National Guard in said county, and upon such lands as may be selected by the county commissioners and the inspector of armories, as provided for in section 3085 of the Revised Statutes. Said trustees shall receive no compensation, but shall be entitled to be repaid their necessary expenses in attending to their duties. All vacancies in the office of trustee shall be filled in the same manner and from the same political party as the original appointment.

SECTION 2. That said board shall be known as "The Board of Hamilton County Armory Trustees," and shall appoint from their number a chairman and shall hold regular meetings at such times and places as they may agree upon, and special meetings under such regulations as they may prescribe, and shall cause to be kept a full record of their proceedings.

SECTION 3. That said trustees shall have power to appoint a clerk, an architect, a superintendent, and other necessary employees, fix their compensation and adopt a suitable plan for such armory, subject to the approval of the inspector of armories, as provided in section 3085 of the Revised Statutes, and to make all contracts for erecting, completing and furnishing the same, and no contract which they enter into, or alteration or modification thereof, shall be valid until assented to at a regular or special meeting, and concurred in by a majority of the members, and such assent entered on the minutes of their proceedings.

SECTION 4. That no money shall be expended on account of said armory building, unless first authorized by said trustees, and upon warrant signed by their chairman and clerk, to be paid by the county treasurer out of the fund hereinafter provided for, and no trustee or persons holding any appointment from said board shall be interested, directly or indirectly, in any contract concerning said armory building.

SECTION 5. That said trustees shall, before entering into any contract in respect to said armory building, cause plans and specifications, detailed drawings and forms of bids to be prepared, and when adopted by them, they may, at their discretion, cause the plans and drawings to be lithographed, and the specifications and forms of bids, contracts and bonds to be prepared, and have the same printed for distribution among the bidders.

SECTION 6. That all contracts shall be made in writing in the name of said board, for and on behalf of said county, and signed by the chairman and clerk of said board, and by the contractor. When it becomes necessary in the opinion of said board in the prosecution of the work, to make alterations or modifications in a contract, such alterations or modifications shall only be made by order of the board, and such order shall be of no effect until the price to be paid for the work or materials under such altered or modified contract has been agreed upon in writing and signed by the contractor and the chairman and clerk of said board, and no contractor shall be allowed or recover anything for extra work or materials caused by any alteration or modification, unless an order is made or agreement signed as aforesaid, nor shall he in any case be allowed to recover more for such work or materials than said agreed price.

SECTION 7. That if a contract, agreement or order made or authorized by said board be found to violate any of the provisions of this act, it shall at once become void and of no effect, and no money shall be paid or recovered for services rendered or material furnished thereunder.

SECTION 8. That said board shall not enter into any contract for work in the erection or completion of such armory building, without first causing fifteen days' notice to be given in one or more newspapers of general circulation in such county, that sealed proposals will be received for doing the work or furnishing the materials; provided, that said board may procure plans therefor in the manner above indicated, and shall not be required to advertise for bids for making or printing the drawings, specifications, and forms of bids, contracts and bonds.

SECTION 9. That each bid shall be accompanied with a bond, signed by sufficient sureties, for the acceptance of the contract if awarded by the board, or in case of refusal by the bidder to enter into a contract according to his bid, within such reasonable time as the board may determine, said bond shall be put in suit, and the amount collected paid into the fund hereinafter mentioned.

SECTION 10. That all bids shall be enclosed in a sealed envelope and deposited with the clerk of said board; and such sealed envelope shall have endorsed thereon the nature of the same, and all bids shall be opened at a regular meeting of the board.

SECTION 11. That said board shall enter into contracts with the lowest and best bidder, upon his giving bonds to the state of Ohio for the use of Hamilton county, with such sureties as the board shall approve, that he will perform the work and furnish materials in accordance with his contract, and on failure of such bidder, within a reasonable time, to be fixed by the board, to enter into bond with his sureties before provided, a con-

tract may be made with the next lowest and best bidder, and so on until a contract is effected by a contractor giving bond as aforesaid; provided, that the board may let the work, in whole or in part, and may reject any and all bids.

SECTION 12. To provide a fund to pay the cost and expense of the erection, completion and furnishing of said armory building under this act, and to be called "the Hamilton county armory construction fund," the commissioners of said county, with the concurrence of the board of control thereof, shall, forthwith, upon receiving orders from said board of trustees, certified by its chairman and clerk, and from time to time, and as often as said board of trustees think necessary, issue the bonds of such county to an amount not to exceed in the aggregate one hundred thousand dollars (\$100,000). Said bonds shall be issued and bear interest at such rate, not to exceed four per centum per annum, as such county commissioners shall determine, in the words and manner prescribed by sections eight hundred and seventy-one and eight hundred and seventy-two of the Revised Statutes, and the act passed March 22, 1883, entitled an act providing for the sale of public bonds (80 O. L., 68); provided, however, that said bonds shall be issued with coupons or registered, due in fifty years, and redeemable in thirty years from date.

SECTION 13. That the commissioners of said county shall annually, at their June session, levy such amount of taxes as will pay the interest on such indebtedness and create a sinking fund sufficient to redeem the same at maturity, not exceeding for said sinking fund two per centum per annum on the total indebtedness. And if the commissioners refuse or neglect to levy such taxes regularly, as herein provided, the county auditor shall levy said taxes upon the taxable property of the county, and place the same upon the tax list, and all the taxes levied and collected under the provisions of this act shall be applied to the specific object for which they are levied, and no other. The money arising from the sale of said bonds shall be placed in the county treasury, to be called "the Hamilton county armory construction fund;" and all warrants drawn upon the treasury for payment out of said fund shall designate on the face, "for erection and completion," or "for furnishing," according as they are drawn for one purpose or the other. And, if upon the completion of any work, under the provisions of this act, an unexpended balance of the fund shall remain in the county treasury, such balance shall be immediately placed and kept to the credit of the sinking fund provided for by this act; and no part of said sinking fund shall be transferred or applied to any other purposes, but the same shall be invested and preserved in bonds of said county, of the state of Ohio, or the city of Cincinnati.

SECTION 14. That said trustees shall not be individually responsible to any contractor upon any contract made in pursuance of this act, nor to any person on any claims occasioned by any act or default of any person contracted with, or employed by them in pursuance of this act. But any of said trustees may be removed summarily by the governor for misconduct in office or neglect of duty.

SECTION 15. That immediately upon the appointment and qualification of said trustees, the commissioners of said county shall deliver to said board of trustees the possession and control of any lands acquired by the county as an armory site, to be held by them until the completion of said armory building, when they shall surrender the same to the said county commissioners.

SECTION 16. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 15, 1887.

[House Bill No. 526].

AN ACT

To divide Whetstone township, Crawford county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Whetstone, in the county of Crawford, be and the same hereby is divided into two election precincts for all election purposes authorized by law, as follows: Beginning at the south-west corner of said township; thence north upon said township line three miles; thence east across said township to the east line thereof; thence south along the east line of said township to the south-east corner thereof; thence west along the south line of said township to the place of beginning, and that the north portion of said township as so divided, shall be designated and known as the North Precinct, and that the south portion thereof as so divided, shall be designated and known as the South Precinct, with its place of voting at the hamlet of New Winchester.

Provided, that the question of a division of said township into election precincts shall be submitted to a vote of the electors of said township, at the next regular election after the passage of this act; at least ten days' notice of the submission of said question shall be given by notice posted in three public places in said township, said notices to be signed by the township clerk. Those who are in favor of said proposition shall have written or printed on their ballots, the words, "Division of township—Yes," and those opposed, "No." If a majority voting at said election shall vote in favor of said proposition, the division of said township shall be made as provided in section 1 of this act.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 16, 1887.

[House Bill No. 732].

AN ACT

To authorize the governor of Ohio to execute a deed to Joseph Warnock.

WHEREAS, the original purchase money for the north half of the east half of the north-east quarter of section sixteen (16), township fourteen (14), of range two (2) east, Darke county, Ohio, has been fully paid, that as the original purchaser transferred all his interest to one Jacob Berry, and he in turn transferred all his interest in the same, and thus after passing through the hands of divers persons to one Joseph Warnock who is now the sole owner of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the governor of the state of Ohio, is hereby authorized and required to execute and deliver a deed for said lands to said Joseph Warnock in conformity to section 4116 of the Revised Statutes.

SECTION 2. This act shall take effect and be in force from its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 16, 1887.

[House Bill No. 868].

AN ACT

Supplementary to an act to authorize the commissioners of Butler county to build a court house, passed January 28, 1885, and the amendment to said act, passed April 14, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Butler county are hereby authorized and empowered by taxation, at a rate not exceeding one mill per annum on the dollar of valuation of the property in said county subject to taxation, to raise the sum of ninety thousand (\$90,000) dollars, in addition to the amount heretofore provided for, for the purpose of completing, furnishing and carrying out all contracts heretofore made, or yet to be entered into, and to pay the necessary per diem of the members of the joint board provided for in said original act, and all expenses heretofore incurred by them, or that may be incurred in the discharge of their duties, and to do all other acts that may be necessary to complete said court house and properly lay out the grounds surrounding the same; provided, that the aggregate amount of said contracts, etc., shall not exceed the sum provided for in said original and this supplemental act; and in the anticipation of the collection of such taxes, said county com-

missioners shall have power to issue bonds of said county, with interest coupons attached, upon the terms and in the manner set forth in said original act, and the amendment thereto, to which this act is supplemental; but the aggregate amount of said bonds issued under this act shall not exceed said sum of ninety thousand (\$90,000) [dollars].

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President pro tem. of the Senate.

Passed February 16, 1887.

[House Bill No. 913].

AN ACT

To authorize the city council of the city of Kenton, Ohio, to construct a system of water-works, or to purchase, extend and complete the system of water-works now owned and operated by the Kenton water-works company, within said city, and to issue the bonds of said city to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Kenton, Hardin county, Ohio, be and is hereby authorized and empowered to construct a system of water-works for said city, or to purchase, extend and complete the system of water-works now owned and operated by the Kenton water-works company, within said city, and are hereby authorized and empowered to issue the bonds of said city, in any sum necessary to construct said system of water-works, or to purchase, extend and complete the said system of water-works, but in no case to exceed eighty thousand (\$80,000) dollars, bearing interest at a rate not exceeding five per cent. per annum, payable semi-annually, and to be of such denomination as the city council shall by resolution prescribe, but not less than one thousand dollars nor more than ten thousand dollars each; and said bonds shall be made payable inside of thirty (30) years from their issue by said city council, and which bonds shall not be sold for less than their par value in cash; the money arising from the sale of said bonds, shall be used for the purpose of constructing a system of water-works, or for purchasing, extending and completing the system of water-works now owned and operated by the Kenton water-works company, within said city, and for no other purpose or use whatever. The said bonds shall be signed by the president of said council, and attested by the clerk thereof and the seal of said city, and when the said bonds are sold, the proceeds shall be paid to the treasurer of said city, who shall hold and disburse said proceeds as other city funds are by him held and disbursed.

SECTION 2. When such bonds of said city are issued as hereinbefore

provided, it shall be the duty of the city council of said municipal corporation, annually thereafter, until the same and the interest thereon shall be fully paid, to assess and levy a tax on all the taxable property of the corporation, sufficient to provide for the payment of the interest accruing upon the bonds so issued, and to create a sinking fund for the payment of the principal of the bonds as they become due.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 16, 1887.

[House Bill No. 965].

AN ACT

To authorize the trustees of New London, in Huron county, Ohio, to issue bonds for the purpose of repairing the town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of New London, in the county of Huron and state of Ohio, be and they hereby are authorized to issue the bonds of said township in any sum, not exceeding thirteen hundred dollars, to enable said trustees to perfect repairs of, and improvements in the town hall in said township and an additional entrance to the same. That said bonds shall bear interest from the date the same are issued, at a rate not exceeding six per centum per annum, payable annually, and said bonds shall be payable not more than three years after the date aforesaid, and shall not be sold for less than their par value.

SECTION 2. The trustees of said township are hereby authorized to levy a tax on all the taxable property of said township for the payment of said bonds and the interest thereon, as the same shall become due.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 16, 1887.

[House Bill No. 919].

AN ACT

To authorize the incorporated village of Belle Centre, Logan county, to issue bonds for the purpose of providing fire protection and paying for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Belle Centre, Logan county, is hereby authorized to issue bonds, not exceeding in amount twelve hundred dollars, for the purpose of providing fire protection and paying for the same.

SECTION 2. Said bonds shall be signed by the mayor of said village, and countersigned and registered by the clerk thereof, and may be issued in denominations of not less than fifty dollars nor more than two hundred dollars, bearing interest at the rate of six per centum per annum, payable annually, the principal and interest to be paid in one, two, three, four and five years from the first day of April, 1887, and in such amounts each year as the council of said village may direct, and said bonds shall not be sold for less than par value.

SECTION 3. For the payment of the principal and interest of said bonds as the same become due, the council of said village is hereby authorized and required to levy a tax on all the taxable property within the corporate limits of said village, in such amounts as will each year meet the principal and interest then falling due on said bonds, which levy shall be placed on tax duplicate by the auditor of said county, and collected as other taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 16, 1887.

[House Bill No. 902].

AN ACT

To authorize and empower the incorporated village of New Lexington, Perry county, Ohio, to borrow money, issue bonds, to purchase additional grounds, if necessary, and to construe thereon such building or buildings, including a council chamber, engine house and village prison, as may be deemed necessary.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of New Lexington, county of Perry, be and said council is hereby authorized and empowered to borrow money, issue the bonds of said village and sell the same not exceeding \$10,000, and to use the proceeds thereof in purchasing ground, if in

the judgment of said council the same is necessary, and erecting thereon such building or buildings, including council chambers, engine house and village prison, as may be deemed necessary.

SECTION 2. Said bonds shall be issued in such an amount not exceeding \$10,000, and in such sum or sums and payable at such time or times as said council shall determine. They shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually, and shall not be sold for less than the par value thereof; said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall be authenticated by the seal thereof, and a complete record of the same shall be kept by the clerk.

SECTION 3. For the payment of said bonds and interest thereon, said council shall levy a tax in addition to the amount otherwise authorized, every year during the period the bonds have to run, sufficient in amount each year to pay the bonds falling due that year and the accruing interest, or sufficient to pay that portion of the amount that may remain after applying the revenue provided in section six of this act.

SECTION 4. After the total amount of said bonds so to be issued in pursuance hereof shall have been first determined by said council, and before any bonds are issued or tax levied as provided by this act, the question of issuing the bonds shall be submitted to the qualified electors of said village at an election to be held at such time after the passage of this act as the council may determine, and ten days' notice of such election and submission shall be given by the mayor of said village in one or more newspapers published therein, stating the amount of bonds to be issued, the purpose for which they are issued, and the time and place of holding the election: and if a majority of the electors voting at such election upon the question of issuing the bonds, vote in favor thereof, then the bonds may be issued and the tax levied. Those voting in favor of the proposition shall have written or printed on their ballots the words, "For the issue of bonds," and those voting against the same the words, "Against the issue of bonds."

SECTION 5. Said election shall be held and conducted in the same manner as is now provided by law for holding municipal elections, and the clerks and judges of said election shall certify to the council of said village the result of the same. If a majority of the electors voting at said election, vote in favor of said proposition, the council shall as soon as convenient advertise in at least two newspapers published in said county, for a period of not less than three weeks, for sealed bids for the sale of said bonds, as a whole or in lots, as said council may determine, and shall award the same to the highest and best bidder; provided, that said council may reserve the right to reject any or all bids, and in case of rejection may proceed to re-advertise and sell until a sale is effected as by this section provided.

SECTION 6. And the said council of the village of New Lexington is hereby authorized and empowered, in the event of the issue of said bonds, for and during every year that the same or any part thereof have to run, to appropriate and transfer from the proper fund or funds, all the revenues and fines accruing to the said village of New Lexington from an act entitled "an act providing against the evils resulting from the traffic in intoxicating liquors," passed and took effect May 14, 1886, (O. L. vol. 83, p. 157), to the fund of the said incorporated village, from which said bonds, principal and interest, are to be paid, or so much thereof as

in the judgment of said council can be economically spared from such fund or funds, to the credit of which said revenues are now by said act distributed.

SECTION 7. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 18, 1887.

[Senate Bill No. 219].

AN ACT

To authorize the trustees of Deer Creek township, Pickaway county, to issue bonds to build a township house, and to repeal an act therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Deer Creek township, Pickaway county, Ohio, be and they are hereby authorized to issue bonds of said township, not exceeding two thousand dollars (\$2,000) for the purpose of building a township house, as directed by a vote of the majority of the electors of said township voting upon the proposition at the election held in said township April 6, 1885; said bonds to be issued in denominations of one hundred dollars (\$100) each, to bear interest at the rate of six per cent. per annum, payable semi-annually, on the tenth days of March and September in each year, and to run not exceeding four years, and shall be disposed of as provided by law.

SECTION 2. That for the purpose of paying said bonds and interest, said trustees are hereby authorized to levy a tax each year, not exceeding four years, to be collected as other taxes.

SECTION 3. The act "to authorize the trustees of Deer Creek township, Pickaway county, to issue bonds to build a township house," passed April 30, 1885, be and is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 18, 1887.

[Senate Bill No. 337].

AN ACT

To provide for the care and control of free turnpikes in Medina county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That all of that territory lying contiguous to any free turnpike in Medina county, the property in which was taxed for the building of such free turnpike, is hereby constituted a separate road district.

SECTION 2. The county commissioners of said county shall make the levy for road purposes in and for said road district each year, and shall appoint a turnpike superintendent for said road district, whose term of office, duties, powers, compensation and liabilities shall be the same as prescribed by law for supervisors of roads.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President pro tem. of the Senate.

Passed February 18, 1887.

[House Bill No. 984].

AN ACT

To authorize and empower the trustees of Madison township, Franklin county, Ohio, and the council of the incorporated village of Groveport, in such township, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Madison township, Franklin county, Ohio, and the council of the incorporated village of Groveport, in such township, are hereby authorized, empowered and required to transfer any accumulated funds now in their hands derived from the income and rents of the town hall, in the incorporated village of Groveport, and any and all moneys that may hereafter come into their hands as income and rents from such town hall, after first paying for the care, protection, repair and insurance of such town hall, and the grounds thereto belonging, to the village and township school funds of the Groveport election precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President pro tem. of the Senate.

Passed February 21, 1887.

[House Bill No. 756].

AN ACT

To authorize the commissioners of Clermont county, Ohio, to complete a certain turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Clermont county, Ohio, be, and they are hereby authorized, to complete a free turnpike road, beginning at the east fork of the Little Miami river, thence in an easterly direction on the original road bed to the county line between Brown and Clermont counties, the distance being about two miles.

SECTION 2. That said county commissioners may, if they deem it best, issue bonds for the construction of said road; provided, said bonds shall not bear interest at a higher rate than six per cent. per annum, payable annually, and shall not be sold for less than their par value; provided, further, that said bonds may extend to such time as they can be paid at a levy of three-fourths of a mill on the dollar levy on the tax duplicate of said county.

SECTION 3. That said commissioners, before proceeding to construct said road, shall view the road bed of the same, and ascertain whether those interested in said improvement have graded, culverted and performed labor in lieu of the twenty per cent. subscription which is required.

SECTION 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax, not exceeding three-fourths of one mill on the dollar, annually, on any and all taxable property in said county.

SECTION 5. And in completing said road said commissioners may alter, change grade or widen any part thereof.

SECTION 6. That a majority of said board of commissioners shall, at any regular session, be necessary to agree upon specifications and order said improvement.

SECTION 7. This act shall take effect and be in force on and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Passed February 21, 1887.

[House Bill No. 530].

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Clermont county are hereby authorized to construct the following free turnpike road: Commencing at a point in the Milford and Chillicothe turnpike where the road known as the

Monterey and Maple Grove road crosses said Milford and Chillicothe turnpike at or near the residence of Moses Foster; thence south on the line of said Monterey and Maple Grove road to the Jackson free turnpike road at or near said Maple Grove; and in locating such road said commissioners may locate the same upon the whole or any part of said road known as the Monterey and Maple Grove road between the points above designated, and said road shall not be more than sixty nor less than forty feet wide.

SECTION 2. That said commissioners may, if they deem best, issue bonds for the construction of said road; provided, said bonds shall not bear interest at a higher rate than six per cent. per annum, payable annually, and shall not be sold for less than their par value; provided, further, that said bonds may extend to such time as they can be met by a levy of two-tenths of one mill on the dollar on the tax duplicate of the county.

SECTION 3. That said commissioners shall, before proceeding to construct said road or any part thereof, require and secure from those interested in said improvement, a subscription or donation equal in amount to twenty per centum of the cost of said improvement, to aid in the construction of such road.

SECTION 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding two-tenths of one mill on the dollar annually, on any and all taxable property in said county in excess of the taxes now authorized by law.

SECTION 5. That a majority of said board of commissioners shall, at any regular session, be necessary to agree upon specifications and order said improvement or any part thereof.

SECTION 6. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed February 21, 1887.

[House Bill No. 766].

AN ACT

Supplementary to an act entitled "an act to authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road," (O. L., Vol. 80, page 271).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county, Ohio, in carrying out the provisions of the act to which this is supplementary, may construct any

part of said free turnpike road upon which the necessary amount or per cent. may be raised as in said act provided.

SECTION 2. This act shall be in force and take effect on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senat.

Passed February 21, 1887.

[House Bill No. 973.]

AN ACT

To authorize the board of education of Delta village school district to levy a tax in addition to that now authorized by law for the purpose of repairing school house in said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Delta village school district, Fulton county, Ohio, is hereby authorized to levy upon the taxable property of said district for the years 1887, 1888, and 1889, one mill on the dollar valuation, in addition to the amount now authorized by law, for the purpose of making necessary repairs on school house and improvements on grounds.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed February 22, 1887.

[House Bill No. 87.]

AN ACT

To divide Elyria township, Lorain county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Elyria, in the county of Lorain and State of Ohio, be and the same is hereby divided into two election precincts, by a line commencing on the south line of said township, at a point where the center of Middle avenue intersects said south line, thence following the center of said Middle avenue north to its intersection with Broad street, thence in the center of Washington avenue to the center of the east branch of Black river, thence down the center of said east branch and the main stream of Black river to the point where it intersects the north line

of said township. All the territory in said township lying east of said described line shall constitute voting precinct number one, and all the territory in said township lying west of said line shall constitute voting precinct number two.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed February 22, 1887.

[House Bill No. 889].

AN ACT

To divide Jackson township, Ashland county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Jackson township, in the county of Ashland and state of Ohio, be and the same is hereby divided into two election precincts, as follows: Commencing on the north line of said township, between section four and five of said township, and thence running directly south on the line between the said two sections, and continuing south to the south line of said township of Jackson; said precincts to be named as follows: The one on the west side of said township, shall be called Polk precinct, and the one on the east side of said township shall be called Jackson precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed February 24, 1887.

[House Bill No. 986].

AN ACT

To divide Union township, Hancock county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Union, in the county of Hancock and state of Ohio, be and the same is hereby divided into two election precincts as follows, to-wit:

Sections one (1), two (2), twelve (12), eleven (11), thirteen (13), fourteen (14), twenty-three (23), twenty-four (24), twenty-five (25), twenty-

six (26), thirty-five (35), thirty-six (36), the east half of section number three (3), the east half of section number ten (10) and the east half of section number fifteen (15) shall constitute one election precinct and be known as the Rawson precinct of said township, and that the balance of said township not above described shall constitute the other precinct and be known as the Mt. Cory precinct of said township; and the elections in said precincts shall be held respectively in the villages of Rawson and Mt. Cory, in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed February 24, 1887.

[House Bill No. 989].

AN ACT

To authorize the commissioners of Darke county, Ohio, to levy an additional tax and issue and sell bonds for the purpose of remedying the omission of the said commissioners to levy a tax for the year 1886, for the relief of indigent soldiers, sailors and marines as provided in the act of May 19, 1886, and to repeal a certain act herein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Darke county, Ohio, are hereby authorized to levy, for the year 1887, in addition to all taxes authorized by law, a tax not exceeding one-tenth of one mill upon the taxable property of said county, to be levied and collected as now provided by law for assessment and collection of taxes.

SECTION 2. The commissioners of Darke county, for the purpose of affording immediate relief to indigent soldiers, sailors, etc., as provided for in the act of May 19, 1886, are hereby authorized to borrow money, in amount not to exceed two thousand two hundred and fifty (\$2,250) dollars, at a rate of interest not exceeding six per cent. per annum, and issue the bonds of the county or other obligations of the county, to secure the payment of the principal and interest thereon. The said interest shall be payable semi-annually, and the principal shall be paid at such time as the commissioners may prescribe, within three years from the date of such indebtedness, and such bonds shall be sold according to law.

SECTION 3. That said original act passed February 2, 1887, entitled an act "to authorize the commissioners of Darke county, Ohio, to levy an additional tax and issue and sell bonds for the purpose of remedying the

omission of the said commissioners to levy a tax for the year 1887, for the relief of indigent soldiers, sailors and marines, as provided, in the act of May 19, 1886," is hereby repealed.

SECTION 4. This act shall take effect and be in force from its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

ROBT P. KENNEDY,

President of the Senate.

Passed March 2, 1887.

[House Bill No. 995].

AN ACT

To empower the council of the incorporated village of Brooklyn, Cuyahoga county, Ohio, to refund a portion of its bonded indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Brooklyn, Cuyahoga county, Ohio, for the purpose of extending the time of the payment of such portion of the present bonded debt of said village as is chargeable upon the general tax duplicate of said village, including, also, such portion of said debt as is chargeable upon the tax duplicate of sewer district No. one of said village, shall have power to issue bonds of such corporation or borrow money so as to change but not increase the said indebtedness, in such amounts, and for such length of time, not exceeding twenty years, and at such rate of interest as said council may deem proper, not to exceed the rate of six per centum per annum.

SECTION 2. Said bonds shall be issued and sold as provided by law, and the proceeds thereof shall be used to pay the debt for which they were issued and for no other purpose whatever.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

ROBT P. KENNEDY,

President of the Senate.

Passed March 2, 1887.

[House Bill No. 988].

AN ACT

To authorize the board of education of the Brooklyn Village, Cuyahoga county, Ohio, school district to refund the bonded indebtedness of said school district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Brooklyn Village, Cuyahoga county, Ohio, school district, for the purpose of extending the time of payment of the present bonded debt of said school district, be and the same is hereby authorized to issue bonds of said district so as to change but not increase the said indebtedness, in such amounts and for such length of time, not exceeding twenty years, and at such rate of interest not exceeding six per centum per annum as said board of education may deem proper.

SECTION 2. Said bonds shall be issued and sold as other bonds of like character are required by law to be issued and sold, and the proceeds thereof shall be used to pay the debt for which they were issued and for no other purpose whatever.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed March 2, 1887.

[House Bill No. 974].

AN ACT

To authorize the village of Clyde, Sandusky county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Clyde, Sandusky county, Ohio, be and hereby is authorized to transfer certain funds of said village, now in the treasury thereof, and to be realized from the annual levy made by ordinance passed June 4th, 1886, as follows, to-wit: From the street improvement fund, the sum of two hundred (\$200) dollars, from the marshal and police fund, the sum of five hundred (\$500) dollars, both sums to the sinking fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed March 2, 1887.

[House Bill No. 891].

AN ACT

To amend an act passed March 25, 1886, authorizing the commissioners of Ashland county, Ohio, to pay certain fees and expenses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Ashland county, Ohio, be and they are hereby authorized to pay to Susan Gates, widow of Isaac Gates, deceased, for extra and necessary trouble, care and attention, and expenses incurred and labor performed by the said Isaac Gates as sheriff of Ashland county, Ohio, in and about the summoning of jurors, taking care of, watching and execution of George Andrew Horn and William Henry Griffen, such sum as in the judgment of said commissioners will be remunerative for the expenses incurred, and services rendered by the said Isaac Gates, as sheriff of Ashland county, Ohio, in the above named cases, not exceeding six hundred dollars (\$600).

SECTION 2. That said original act passed March 25, 1886, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed March 2, 1887.

[House Bill No. 874].

AN ACT

To authorize the commissioners of Erie county to widen, grade and macadamize certain roads therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Erie county are hereby authorized to widen, grade and macadamize that part of the Milan and Sandusky road lying between the corporate limits of the city of Sandusky and the south line of the grounds of the Ohio soldiers' and sailors' home; also that part of Columbus avenue road lying between the corporate limits of the city of Sandusky and the south line of the grounds of the Ohio soldiers' and sailors' home; also that part of township road lying on the southerly side of the Ohio soldiers' and sailors' home.

SECTION 2. For the purpose of providing for the cost of said improvements, the commissioners are hereby authorized to issue the bonds of the county for such an amount as may be necessary, not to exceed twenty thousand dollars (\$20,000), said bonds to bear interest at the rate of five (5) per cent. per annum, payable semi-annually, and shall be made paya-

ble at any time within five (5) years from the date thereof, at the discretion of the commissioners.

SECTION 3. For the purpose of paying the bonds and interest thereon, as the same become due and payable, the said commissioners are hereby authorized and required to levy annually, on all the taxable property within the county, a sum sufficient to pay the same, in addition to all other taxes required by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 3, 1887.

[House Bill No. 982].

AN ACT

To authorize the council of the village of Upper Sandusky, Ohio, to issue bonds for the purpose of sinking wells for natural gas, and providing necessary mains and service pipes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Upper Sandusky, Wyandot county, Ohio, be and the same hereby is authorized to issue the bonds of said village in any sum or sums not exceeding ten thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, for the purpose of providing funds to defray the expense of sinking wells for natural gas, and laying necessary mains and service pipes therefor.

SECTION 2. The principal of said bonds shall be payable at such place, and at such times, not exceeding ten years from date of issue, as the council of said village may, by ordinance, determine; and the said council is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds and interest, but such tax shall not exceed one and a half mills on the dollar in any one year.

SECTION 3. Said bonds shall be issued in such sums as the council may, by ordinance, determine; they shall be signed by the mayor and countersigned by the clerk of said village, who shall make a record of the number, date and amount of each bond, and they shall not be sold for less than their par value.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 3, 1887.

[House Bill No. 704].

AN ACT

To authorize the commissioners of Noble county to pay compensation and damages out of the special road fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Noble county be and they are hereby authorized to pay compensation and damages which may hereafter be awarded to landowners by reason of the location, alterations or establishment of roads through their premises, which may be deemed of public utility and sufficient importance to justify the payment of said compensation and damages out of the county treasury, out of the special road fund of said county levied under section 4919 of the Revised Statutes.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 3, 1887.

[House Bill No. 979].

AN ACT

To authorize the commissioners of Marion county to pay out of the pike repair fund of said county the sum of \$760, for macadamizing Silver street in the village of Marion.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Marion county be and are hereby authorized to pay out of any money belonging to the pike repair fund of said county, the sum of seven hundred and sixty dollars for macadamizing Silver street in the village of Marion, Ohio.

SECTION 2. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 4, 1887.

[House Bill No. 1037].

AN ACT

To authorize the board of county commissioners of Licking county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of commissioners of Licking county, Ohio, be and they are hereby authorized to transfer the sum of two thousand dollars (\$2,000) from the dog tax fund to the soldiers' relief fund of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 4, 1887.

[House Bill No. 1030].

AN ACT

To authorize the village of East Palestine, Columbiana county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of East Palestine, Columbiana county, Ohio, be and is hereby authorized to transfer the sum of four hundred dollars (\$400) from the marshal's fund to the street crossing and sewer fund, also to transfer five hundred dollars (\$500) from the general fund to the following funds, viz.: One hundred dollars to the fire department fund, two hundred dollars to the road fund, and two hundred dollars to the bond and interest fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 4, 1887.

[House Bill No. 1022.]

AN ACT

To authorize the village of Garrettsville, Portage county, Ohio, to borrow money to build a city hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Garrettsville, Portage county, Ohio, be, and it is hereby authorized to borrow money, not exceeding ten thousand dollars in amount, for the purpose of erecting a building containing a city hall and offices for the officers of said corporation; and the council of said village is hereby authorized to issue bonds of the village for the money so borrowed, said bonds to bear interest at a rate not exceeding six per cent. per annum, payable annually, and said bonds shall be of such denominations and mature at such times as the council shall determine; provided, that such bonds shall not be sold for less than their par value.

SECTION 2. Provided that no bonds shall be issued or money borrowed under the provisions of this act until the question of erecting a city hall, and issuing bonds for the same, shall have been first submitted to the qualified electors of said village, and a majority of such qualified electors, voting on said question, shall have voted "City Hall—Yes." Such question may be submitted to said electors at the next or at any general election by said council by giving ten days' notice thereof by advertisement in one or more newspapers of general circulation in said village, specifying therein the amount of bonds proposed to be issued and rate of interest for the same. Said notice shall also state that each voter shall have printed or written upon his ballot "City Hall—Yes," or "City Hall—No."

SECTION 3. That the council of said village is hereby authorized to levy a tax on all the taxable property within the corporate limits of said village to pay said bonds, together with interest thereon as they shall become due. Which levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 4, 1887.

[House Bill No. 1007].

AN ACT

To authorize the council of the incorporated village of Brooklyn, Cuyahoga county, Ohio, to issue bonds for the purpose of establishing and maintaining a fire department in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Brooklyn, Cuyahoga county, Ohio, be and the same is hereby authorized to issue the bonds of said village in any sum not exceeding two thousand dollars, for the purpose of establishing and maintaining a fire department in said village.

SECTION 2. Said bonds shall be issued and sold as other bonds of municipal corporations are required by law to be issued and sold; shall bear interest at a rate not exceeding six per centum per annum, and when sold the proceeds thereof shall be applied to the establishment and maintenance of such fire department, and to no other purpose whatever.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 4, 1887.

[House Bill No. 969].

AN ACT

To authorize the commissioners of Stark county to purchase additional fair grounds in said county.

WHEREAS, the county fair grounds in said Stark county are too small and contracted for the purpose of holding the annual agricultural fairs thereon, therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Stark county, Ohio, for the purpose of enlarging the fair grounds in said county, be and are hereby authorized and empowered to purchase not to exceed forty acres of land, and levy a tax on the taxable property of said county sufficient to pay for said lands, provided said lands will not cost to exceed fifteen thousand dollars, and provided, however, that the county commissioners shall in no way assume or contract any liabilities, vacate any public road or make any improvement whatever, whereby, in addition to the land purchased, the total cost

to the county would exceed the above named sum, and provided further, that before the county commissioners shall have any authority whatever to issue any bonds, or contract any debts, it shall first be submitted to the qualified electors of said county at a regular or special election called by said county commissioners, of which at least three weeks' notice shall be given by publication in at least four newspapers published within said county, of the time and place of holding such election. If a majority of the electors voting at said election on said question shall vote in favor of the same, then and not otherwise shall the commissioners have authority to issue said bonds as heretofore provided. Those voting in favor of the proposition shall have written or printed on their ballots "For issue of bonds—Yes;" and those voting against the proposition shall have written or printed on their ballots "For issue of bonds—No."

SECTION 2. The said commissioners may, if in their judgment it will best subserve the interest of the taxpayers of the county, divide the levy for the purchase of such land, provided for in the preceding section of this act, into two annual payments, and the whole shall be paid for out of the levy provided for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 4, 1887.

[House Bill No. 966].

AN ACT

To change the name of the incorporated village of South Toledo, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of the incorporated village of "South Toledo," Lucas county, Ohio, be and the same is hereby changed to "Maumee;" provided, that such change of name shall in nowise affect the rights or liabilities of such village.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 4, 1887.

[House Bill No. 954].

AN ACT

To authorize the commissioners of Athens county to make an additional levy of taxes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Athens county be and they are hereby authorized to make an additional levy of [two] (2) mills on all the taxable property of said county, in addition to the tax now authorized by law, for county and poor purposes for the years 1887, 1888, 1889 and 1890.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 4, 1887.

[House Bill No. 947].

AN ACT

To change the name of Patrick Henry Smith to Phillip Henry Smith.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Patrick Henry Smith, a resident of Ottawa county and state of Ohio, be and the same is hereby changed to Philip Henry Smith.

SECTION 2. That such change shall in no way affect the rights or liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 4, 1887.

[House Bill No. 925].

AN ACT

To amend an act entitled an act to create additional election precincts in Howard and Nelsonville election precincts in York township, Athens county, passed March 17, 1886, (83 v. 278).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections one and two of the above recited act be so amended as to read as follows:

SEC. 1. That all of sections 13, 14, 15, 19, 20, 21, 22, 25, 26, 27, 28, 31, 32, 33 and 34 shall constitute an election precinct, to be known and designated as the Howard precinct, and the elections for such precinct shall be held at such place as the trustees of said township shall designate.

SEC. 2. That all of that part of sections 23 and 24 lying west of the

east line of one hundred acre lot numbered 644, and all of sections 29, 30, 35 and 36 shall constitute an election precinct, to be known and designated as the Madison precinct; all of that part of sections 23 and 24 lying between the east line of one hundred acre lot numbered 640 and the west line of one hundred acre lot numbered 643 shall constitute an election precinct to be known and designated as the Washington precinct; all of that part of sections 23 and 24 lying east of the west line of one hundred acre lot numbered 639, and all of sections 16, 17 and 18 shall constitute an election precinct, to be known and designated as the York precinct; and that the place of holding elections in each of said three precincts last defined shall be fixed by the municipal council of said village.

SECTION 2. That said original sections 1 and 2 are hereby repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 4, 1887.

[House Bill No. 921].

AN ACT

To enable Union township, Brown county, to satisfy a claim for bounty.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Union township, Brown county, be and they are hereby authorized and directed to pay to Rufus Martin, the sum of two hundred and thirty-five dollars, the balance alleged to be due him from said township for bounty as a soldier during the late war, together with interest on said amount from September 4, 1864, and for that purpose, if necessary, to levy a tax on the taxable property of said township sufficient to raise said amount and interest; provided, however, that before said trustees levy said tax, or pay said claim, said Rufus Martin shall satisfy them by competent proof that he enlisted as a soldier in the fourth independent Ohio volunteer cavalry during the year 1864; that he was credited to said Union township; that he was promised a bounty from said township of four hundred and thirty-five dollars; and that he only received the sum of two hundred dollars on said amount.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 4, 1887.

[House Bill No. 918].

AN ACT

To divide Addison township, Gallia county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Addison, in the county of Gallia, and state of Ohio, be and the same is hereby divided into two election precincts, as follows: Beginning at the north-west corner of section eighteen in said township; thence south with western line of sections eighteen, seventeen, sixteen and fifteen, to the north line or north-west corner of section fourteen; thence west on said north line of section twenty, to the north-west corner of section twenty; thence south on west line of sections twenty and nineteen to where said line intersects the southern boundary line of Addison township. All that part of Addison township lying on the east side of the above described line to be known as Addison precinct, with its voting place at the village of Addison.

SECTION 2. This act shall take effect on and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 4, 1887.

[House Bill No. 910].

AN ACT

To authorize and empower the directors of the Quaker City association of Guernsey county, Ohio, for the encouragement of manufacturing, to sell and convey real estate.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of directors of the Quaker City association of Guernsey county, Ohio, for the encouragement of manufacturing, be and are hereby authorized and empowered to sell and convey the following real estate situated in the Fair addition to such village, to-wit: lots 65, 105, 106, 107, 117 and 118, and fractional lots 110, 111, 112 and 113.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 4, 1887.

[House Bill No. 839].

AN ACT

To authorize the incorporated village of Ripley, Brown county, Ohio, to purchase a park and additional cemetery grounds, and to issue bonds to pay for same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the town council of the incorporated village of Ripley, Brown county, Ohio, be and the same is hereby authorized to purchase land for a public park; also, additional cemetery grounds.

SECTION 2. The council of said incorporated village is hereby authorized to issue bonds not exceeding in amount the sum of eight thousand dollars, to bear interest at a rate not exceeding six per cent. per annum, said bonds to be for such amounts, and for such time as said council may deem best for the interest of said village.

SECTION 3. For the payment of the principal and interest of said bonds as the same may become due, the council of said village are hereby authorized and required to levy a tax on all taxable property within the corporate limits of said village, in such amounts as will each year meet the principal and interest then falling due upon said bonds, which levy shall be placed on the tax duplicate by the auditor of said county, and collected as other taxes.

SECTION 4. This act to be in force and take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 4, 1887

[House Bill No. 415].

AN ACT

To authorize the trustees of Miami township, Clermont county, Ohio, to issue a bond to Thomas Paxton to pay bounty.

WHEREAS, it is shown that Thomas Paxton, of Miami township, in Clermont county, Ohio, on the twentieth day of December, A. D. 1864, procured, at a cost of seven hundred and fifty dollars, and placed in the army of the United States a substitute, who was credited to said Miami township on its quota of troops to be furnished; and

WHEREAS, the trustees of said township, by authority of law then in force, provided for and issued township bonds for one hundred dollars each to persons who had furnished substitutes credited to said township, and said Thomas Paxton, though entitled thereto, did not receive a bond or any compensation on account of his having put in such substitute; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of said township of Miami, in said county of Clermont, be and they are hereby authorized to issue to said Thomas Paxton a township bond for one hundred dollars, with six per cent. interest there-

on, until the same shall be paid; and the trustees of said township are hereby authorized to provide for the payment of said bond by levying a tax on all the taxable property of said township, in addition to taxes now authorized by law.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 4, 1887.

[House Bill No. 1028].

AN ACT

To authorize the village of Ravenna, Portage county, Ohio, to issue the bonds of said village for the purpose of extending and improving the public water-works of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Ravenna, Portage county, be and the same is hereby authorized to issue the bonds of said village in any sum not exceeding ten thousand dollars, bearing interest at a rate not exceeding six per cent., payable semi-annually, and maturing in a period not exceeding eight years from date of issue, for the purpose of extending and improving the system of water works of said village.

SECTION 2. Said bonds shall be signed by the mayor and countersigned and registered by the clerk of said village, and shall be issued in such denominations, and be payable at such times and places as the council may, by ordinance, determine; but subject, however, to the provisions of section 1 of this act, and shall not be sold for less than their par value.

SECTION 3. For the purpose of providing a fund for the payment of the principal and interest of said bonds, there shall be created a fund to be known as the "water-works extension sinking fund," into which shall be paid all surplus earnings of said water-works, after paying all necessary expenses incident to the running and maintenance of such water-works, and no part of such surplus earnings shall be used for any other purpose until the extinguishment of said debt, or until the amount of the fund hereby created shall equal the amount of said bonds and one year's interest on the same; and should the surplus earnings of said water-works be found insufficient to raise said fund to the required amount, the council of said village are hereby authorized to levy from time to time upon the real and personal property subject to taxation in said village, a tax not exceeding one and one half mills on the dollar in any one year, for the purpose of replenishing said fund.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 1062].

AN ACT

To authorize the city council of the city of Defiance, Ohio, to borrow money and issue bonds therefor to fund the floating indebtedness of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Defiance, Ohio, be and said council is hereby authorized to borrow money, not to exceed the sum of fifteen thousand (\$15,000) dollars for the purpose of paying the present floating indebtedness of said city; and to issue the bonds of said city therefor in such denominations, and to mature at such times, not exceeding ten years, as said council may determine; said bonds shall not be sold for less than their par value, and shall bear not to exceed six per cent. interest, payable semi-annually.

SECTION 2. The council of said city are hereby authorized to levy a tax upon all the taxable property of said city, in addition to the taxes otherwise authorized by law, sufficient to pay said bonds and the interest thereon as the same shall mature.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 1050].

AN ACT

To authorize the council of the village of Lebanon, in Warren county, to issue and sell the bonds of said village for the purpose of purchasing a steam fire engine.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Lebanon, in Warren county, is hereby authorized to issue the bonds of said village, in an aggregate amount not exceeding three thousand dollars, in denominations not less than five hundred dollars each, payable at such times, not more than three years from their date, as the council may determine, and bearing interest at a rate not exceeding six per centum, payable annually, the proceeds of said bonds, when sold as in this act provided, to be used in purchasing a steam fire engine for said village; said bonds shall be signed by the mayor and countersigned by the clerk of said village, and they shall be sold at public sale and at not less than their par value.

SECTION 2. That for the payment of the bonds that may be issued and sold under the provisions of this act, and the interest that may accrue thereon, the council of said village of Lebanon is hereby authorized and empowered to levy a tax sufficient for that purpose on all the taxable property within the corporate limits of said village.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 1033].

AN ACT

To authorize the board of education of Junction City village school district, Perry county, to issue bonds for the purpose of erecting an addition to school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Junction City village school district, Perry county, be and the same is hereby authorized and empowered to issue bonds, not to exceed eighteen hundred dollars (\$1,800), for the purpose of erecting an addition to the school house in said village district. Said bonds to be in such denominations, and payable at such times and place, as said board of education may deem judicious, and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall not be sold at less than their par value; and said board of education shall, annually thereafter, cause the necessary taxes to be levied, to pay the interest on said bonds and the principal thereof, as the same shall become due; and said levy, if necessary, may be in addition to the limitation now imposed by law.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 899].

AN ACT

To authorize the board of education of Bartlow township, Henry county, Ohio, to pay indebtedness and issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Bartlow township, in Henry county, Ohio, be and is hereby authorized to issue bonds in the sum of (\$2,500) twenty-five hundred dollars for the purpose of paying the indebtedness of said board. Said bonds to be in sums, and payable with interest, not exceeding six per cent. per annum, payable semi-annually, at Deshler, Ohio, as follows:

SECTION 2. Said bonds shall be due as follows: \$500, due March 1st, A. D. 1897; \$500, due March 1st, A. D. 1898; \$500, due March 1st, A. D. 1899; \$500, due March 1st, A. D. 1900; and \$500, due March 1st, A. D. 1901.

SECTION 3. Said bonds shall be sold at public or private sale, as said board may direct; but not less than their par value.

SECTION 4. For the purpose of paying said bonds and interest thereon, as the same shall be due, the board is hereby further authorized to levy a tax, in addition to other taxes authorized by law, on all the taxable property in said Bartlow township.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 781].

AN ACT

To authorize the board of education of Ridgeville township, Lorain county, issue bonds for the purpose of building school houses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Ridgeville township, Lorain county, Ohio, be and is hereby authorized to borrow the sum of four thousand dollars for the purpose of erecting one school house in sub-district No. 10, and one school house in sub-district No. 7 in said township.

SECTION 2. For the purpose aforesaid, the said board is hereby author-

ized to issue four bonds of one thousand dollars each, bearing interest not to exceed the rate of six per cent., payable annually, one of said bonds to be payable in one year, one in two years, one in three years, and one in four years from the dates thereof respectively. Said bonds shall be signed by the president, and attested by the clerk of said board, and said board shall annually cause the necessary taxes to be levied to pay the interest on said bonds, and to pay the principal thereof as the same shall become due, in the manner provided by law for the levying and collection of taxes.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 849].

AN ACT

To authorize the commissioners of Clermont county, Ohio, to build a free turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county, Ohio, are hereby authorized to construct the following free turnpike road: commencing at the intersection of the Warren and Clermont county line, with the road known as the Dallasburg and Loveland road, near the residence of William Wene; thence on the line of said road in a westerly direction past the hamlet of Barronsville, continuing on the line of said road past the farms of John Connor, Bradford H. Erelend, Lockwood, Robb and Ramsey, to the point where said road intersects the corporation line of the village of Loveland, in Clermont county, and may locate and establish the same in whole or in part upon said road, and may widen and enlarge the same, and may settle directly with landowners any question of damage or compensation arising by reason of their acts. Said road shall not be more than sixty nor less than forty feet in width.

SECTION 2. Said commissioners may issue bonds for the construction of said road if they deem best; provided, the same shall not bear interest at a greater rate than six per cent. per annum; and provided further, that said bonds shall be sold in pursuance of the provisions of the laws of the state of Ohio, (Ohio Laws, 1883, vol. 80, page 68).

SECTION 3. Said commissioners may levy a tax of two-tenths of one mill on the dollar, annually, on the taxable property in said county, in

addition to the taxes now authorized by law, for the purpose of meeting the payment of said bonds at their maturity.

SECTION 4. Before proceeding to construct said road, said commissioners shall require and secure from those interested in the construction of said road a subscription or donation equal to twenty per cent. of the whole cost thereof, to be used in constructing the same.

SECTION 5. That a majority of said board of commissioners shall be necessary at a regular session of said board to agree upon and order said improvement, or any part thereof.

SECTION 6. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 1034].

AN ACT

To authorize the city council of the city of Piqua, Miami county, Ohio, to borrow money for water-works purposes, and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Piqua, in Miami county, in said state, be and they are hereby authorized to borrow any sum of money, not exceeding ten thousand dollars, for the purpose of replacing the aqueduct in the northern part of the hydraulic canal which furnishes said city with its water supply for its water-works.

SECTION 2. *Be it further enacted,* that for the purpose aforesaid, the said city council is hereby authorized to cause to be issued the bonds of said city, not exceeding ten thousand dollars in amount, the same to be in denomination not less than one hundred dollars, or greater than one thousand dollars each, bearing interest at a rate not greater than six per cent. per annum, payable semi-annually; and the principal of said bonds to be payable at such time or times, not exceeding ten years after the date thereof, as the said city council may in its discretion determine; the said bonds shall be signed by the mayor and city clerk of said city, and may, in the discretion of said city council, have interest coupons attached. Provided, that none of said bonds shall be sold or otherwise disposed of for less than their par value, with accrued interest to the date of said sale or disposition.

SECTION 3. Said city council shall, annually thereafter, cause the neces-

sary taxes to be levied to pay the interest on said bonds, and the principal thereof as the same shall become due, in the manner provided by law for the levying and collection of taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 888].

AN ACT

To authorize the commissioners of Adams county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Adams county, Ohio, be and they are hereby authorized to construct the following free turnpike road, to-wit: Beginning at the Rome and Mineral Springs free turnpike road, at the mouth of Dry Fork, of Turkey creek, thence up said creek the nearest and most practicable route via Steam Furnace, to a point in the Jacksonville and Locust Grove free turnpike road, at or near the town of Jacksonville.

SECTION 2. Said commissioners may, in their discretion, order at once the construction of said road; but before ordering said road, shall require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds for the construction of the same, bearing six per cent. interest, which shall not be sold for less than their par value, and may levy a tax, not exceeding two mills on the dollar, annually, on all the taxable property of said county, for the purpose of paying said bonds and the interest thereon.

SECTION 3. A majority of said commissioners may, at any regular or special session, agree upon plans and specifications, and order said improvement or any part thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[Senate Bill No. 289].

AN ACT

To amend an "act to authorize the commissioners of Pickaway county, Ohio, to build a jail, or jailor's residence, or to remodel the court house," passed May 4, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the above recited act be so amended as to read as follows:

SECTION 1. That the commissioners of Pickaway county be and they are hereby authorized and empowered to purchase a suitable site, and build thereon a substantial jail, and jailor's residence, according to such plans and specifications as they may determine upon; and to remodel the court house, and build an addition or additions thereto, or to make either or all of said improvements; said jail and jailor's residence to cost not exceeding the sum of thirty-five thousand dollars (\$35,000).

SECTION 2. For the purpose of raising the money necessary to meet the expense of the improvement or improvements hereinbefore provided for, the commissioners of the county may issue the bonds of the county, payable in installments, or at intervals, not exceeding in all, the period of twenty years, bearing interest at the rate not to exceed six per cent. per annum, payable semi-annually, which bonds shall be sold as provided by law; the levy to be divided in such manner so as to meet the payment of principal and interest of said bonds.

SECTION 3. Said bonds to be signed by the commissioners of Pickaway county, and countersigned by the auditor of said county, who shall keep a record of all bonds issued under and by virtue of this act, to whom issued, when made payable, date, and when redeemable.

SECTION 4. For the purpose of paying the interest and principal of said bonds said commissioners are hereby authorized and empowered, in addition to the other levies authorized by law, to levy a tax not exceeding one-fourth of one mill in any one year, for a period not exceeding twenty years, upon each dollar's valuation of all the taxable property of said Pickaway county.

SECTION 5. That said original act be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 5, 1887.

[House Bill No. 892].

AN ACT

To authorize the county commissioners of Clermont county, Ohio, to construct a free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Clermont county, Ohio, are hereby authorized and empowered to construct the following free turnpike road: beginning at the point where the late Milford and Chillicothe turnpike road intercepts the Cincinnati, Columbus and Wooster turnpike road, thence over and along the route formerly used and occupied by the late Milford and Chillicothe turnpike road, passing through Perrintown, Owensville, Monterey and Marathon to the Brown county line, and are hereby authorized and empowered for that purpose to condemn and appropriate the necessary lands therefor in pursuance of the laws of Ohio, authorizing the appropriation of private property for public purposes.

SECTION 2. The said commissioners may issue bonds if they deem it best for the construction of said road; provided, said bonds shall not bear a higher rate of interest than six per centum per annum, payable annually, and shall not be sold for less than their par value; provided further, that said bonds may extend to such time as they can be paid, at a levy of three-fourths of a mill on the dollar on the tax duplicate of said county.

SECTION 3. That said commissioners, before proceeding to construct said road, shall view the road bed of the same, and ascertain whether twenty per centum of said road is constructed in lieu of the twenty per centum subscription required; if said commissioners should determine that the twenty per centum of said road is not completed, then they may require said twenty per centum to be completed by those interested in said improvements.

SECTION 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy a tax, not exceeding three-fourths of a mill on the dollar, annually, on any and all the taxable property in said county.

SECTION 5. That a majority of said board of commissioners shall, at a regular session, be necessary to agree upon specifications and order said improvement.

SECTION 6. That this act shall take effect and be in force on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 914].

AN ACT

To authorize the board of education of Miami township, Hamilton county, Ohio, to issue bonds to pay debts and supply deficit in contingent fund of said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Miami township, in Hamilton county, Ohio, be and it is hereby authorized and empowered to issue bonds for an amount not to exceed four thousand (\$4,000.00) dollars, payable with interest thereon at such time or times, and at such place as said board of education may determine; provided, that said bonds shall all be made payable within ten years from the date of the issue thereof.

SECTION 2. Said bonds shall be issued by said board of education and be signed by the president thereof, and by the township clerk of said township, who shall keep a record of the same, and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be in amount not more than five hundred nor less than one hundred dollars each, as may be determined by said board. Said bonds shall not be sold for less than their par value, and the funds arising from the sale thereof shall be used only in payment of said indebtedness, and any surplus shall be credited to the contingent fund of said township and be used for the contingent expenses of running the schools of said township district.

SECTION 3. The board of education of said township shall annually levy such amount of taxes as it may deem necessary each year after the passage of this act, not exceeding in all ten years, upon each dollar of the valuation of all the taxable property of said township, any sum not exceeding one and one-half mills per annum, in addition to the sum allowed by law to be levied, the proceeds of said additional levy to be used exclusively for the payment of said bonds and the interest thereon, as the same may mature and become payable, as authorized in sections one and two of this act.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 1073].

AN ACT

To authorize the incorporated village of Oxford, Butler county, Ohio, to remove all bodies remaining in the burying ground in out-lot numbered two.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Oxford, Butler county, Ohio, be and they are hereby authorized to remove all bodies remaining

in the burying ground in out-lot lot numbered two in said village, to the new cemetery adjoining the village corporation on the south. Provided, however, that they shall cause notice first to be given to the family, friends or kindred of the deceased, if known to such council, of the order for their removal and of the time within which, not less than thirty days, such removal must be made, and that it is desired that such removal be made by the friends or kindred of the dead, and if, at the expiration of such time, such removals have not been made, said council shall cause them to be made as aforesaid; and so far as practicable, all monuments and tombstones shall be removed and re-erected at the place of re-interment of the remains of each person respectively; and the council of said incorporated village of Oxford are hereby authorized and empowered to contract and pay for the removal of all of said bodies that are not removed by their friends.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 1093].

AN ACT

To authorize the commissioners of Delaware county to levy a tax for the purpose therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Delaware county, Ohio, be and they are hereby authorized to levy a tax not to exceed two-fifths of one mill, on the dollar on all the taxable property of said county for the year 1887, for the purpose of paying the indebtedness of the agricultural society on the fair grounds of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 998].

AN ACT

To authorize the board of education of the Bedford village school district, Cuyahoga county, to levy an additional tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Bedford village school district, Cuyahoga county, be and they are hereby authorized to levy annually, for a period of not more than five (5) years, in addition to that already allowed by law, a tax of not more than three (3) mills on each dollar of the assessed value of the taxable property of said village school district for the support and maintenance of the public schools thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 958].

AN ACT

To increase the levy for the purpose of continuing the schools in the special school district of Nelsonville, Athens county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the special school district of Nelsonville, in Athens county, be and they are hereby authorized to levy a tax for the years 1887, 1888, 1889 and 1890, not exceeding three (3) mills on the dollar, annually, on all the taxable property in said special school district, in addition to the levy now authorized by law, for the continuance of the schools in said special school district; said tax to be levied and collected in the same manner as taxes for the common school fund are levied and collected.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 1008].

AN ACT

To authorize the village council of New Lisbon, Columbiana county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of New Lisbon, Columbiana county, Ohio, be and is hereby authorized to transfer the sum of fourteen hundred dollars (\$1,400.00) from the town hall and village prison fund to the water works fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 930].

AN ACT

To authorize the treasurer of Madison township, Columbiana county, Ohio, to apportion and transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the treasurer of Madison township, Columbiana county, Ohio, is hereby authorized and directed to apportion and transfer to the treasurer of special school district No. 2 of such township, county and state, that part of the school funds in possession of such treasurer, resulting from the levy and state fund provided for, prior to the passage of the act of March 12, 1886, creating such special school district No. 2. And all undivided state funds, coming into his possession thereafter, shall be apportioned in the ratio of enumeration, and such special district shall be entitled to all funds levied for school purposes by the board of education, or may have been heretofore collected and not apportioned.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 5, 1887.

[House Bill No. 977].

AN ACT

To authorize the trustees of the Methodist Episcopal church at West Lafayette, Coshocton county, Ohio, to sell and convey certain property.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the Methodist Episcopal church at West Lafayette, Coshocton county, Ohio, are hereby authorized and empowered to sell and convey the following property belonging to such church, to-wit: The west half of lot number twenty-four, (including the old church building thereon), in Wheeler's third addition to the village of West Lafayette, in Lafayette township, Coshocton county, Ohio.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 5, 1887.

[Senate Bill No. 307].

AN ACT

To authorize the commissioners of Pike county to accept a certain road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Pike county be and they are hereby authorized to accept and adopt a graveled road situated in Pee Pee and Jackson townships in said county, beginning at the village of Waverly, in said county, thence running in a northeasterly direction on what is known as the Waverly and Higby road to the Ross county line on the farm of James C. Foster, and from the Sharonville tile works on the line of said road, to the Scioto river, in Jackson township; and when accepted and adopted, shall be known as the Waverly and Sharonville turnpike; also, the graveled road known as the Piketon and Jasper road, in Seal township, from the village of Piketon to the Scioto river, to be known as the Piketon and Jasper free turnpike, and shall be so placed upon the records of Pike county; and when such proceedings have been done, shall be subject to the provisions of the statutes now in force relative to free turnpikes.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 5, 1887.

[House Bill No. 700].

AN ACT

To divide the township of Jackson, in Montgomery county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Jackson, in the county of Montgomery, in the state of Ohio, be and the same is hereby divided into two election precincts, by a line drawn through said township, from east to west, beginning on the east line of said township, at the south-east corner of section No. (13) thirteen, in said township, and running thence, westwardly, with the south line of sections, numbered (13) thirteen, (14) fourteen, (15) fifteen, (16) sixteen, (17) seventeen, and (18) eighteen, in said township, to the west line of said township. All that portion of said township south of said dividing line shall be known and designated as the Farmersville precinct, in said township, and the voting place shall be at the village of Farmersville, in said precinct; and all that portion of said township north of said dividing line shall be known and designated as the Johnsville precinct in said township, and the voting place shall be at the village of Johnsville, in said precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 8, 1887.

[House Bill No. 962].

AN ACT

To authorize the commissioners of Franklin county to construct a bridge across Big Walnut creek.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Franklin county be and they are hereby authorized to construct a bridge across Big Walnut creek, in the township of Hamilton, at a point where the Lockbourne road crosses said creek, at a cost of not more than sixteen thousand dollars; and in the exercise of their powers, and the performance of their duties in that behalf, they shall be governed by the general statutes on that subject, except in so far as their powers and duties are conferred and prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expenses of constructing said bridge, said commissioners are hereby authorized and empowered to issue bonds of said Franklin county, at not less than their par value, in sums of not less than one thousand dollars each, bearing inter-

est at a rate not to exceed six per centum, per annum, payable semi-annually; and not to exceed in the aggregate the sum of sixteen thousand dollars; and said commissioners are further authorized and empowered to levy a tax on all the property on the tax duplicate of said county, to pay said bonds as they mature, and the interest thereon, and at such rate and for such length of time, as may be necessary for that purpose.

SECTION 3. This act shall take effect from its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 8, 1887.

[House Bill No. 1040].

AN ACT

To divide Fairfield township, Highland county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Fairfield township, in Highland county, Ohio, be divided into two election precincts as follows: Beginning in the north line of said county of Highland, east of the residence of Lydia Smith and Oak Grove church, thence with the township road, via the residence of Marion McPherson and the site of the old Eagle Mills, to the intersection of said road with the turnpike leading from New Lexington to Leesburg; thence in a southwardly direction west of the residence of Thomas I. Terry and east of the residence of Susannah McCoy, intersecting the Fairfield and Penn township line, west of the residence of James T. Johnson and east of the residence of James Beeson.

SECTION 2. All that part of Fairfield township lying east of the aforesaid line shall be one election precinct, to be known as East precinct, and all elections in said precinct shall be held at Leesburg, and all that part of said township lying west of said line shall be one election precinct, to be known as West precinct, and all elections in said precinct shall be held at New Lexington.

SECTION 3. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 8, 1887.

[House Bill No. 1059].

AN ACT

To authorize the commissioners of Harrison county, to improve the public roads of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Harrison county, are hereby authorized to levy annually in addition to the taxes now authorized by law, a tax not exceeding three tenths of one mill upon the taxable property of the county, for the purpose of creating a fund to improve and macadamize roads in said county.

SECTION 2. In locating and laying out such roads, the commissioners shall have power to locate the same upon any road, or parts of roads already established, and to widen, alter or vacate the same, or any part thereof, and shall have power lay out, locate and survey such roads through any improved or unimproved lands, and are hereby authorized for that purpose to condemn and appropriate the necessary lands therefor, in pursuance of the laws of Ohio for the appropriation of private property for public purposes, and the payment and compensation therefor.

SECTION 3. All roads improved under the provisions of this act, shall be opened not more than sixty feet wide nor less than thirty feet wide, and shall be macadamized with lime stone or sand stone, or both, not less than twelve feet wide or more than sixteen feet wide.

SECTION 4. Said commissioners before proceeding to construct any such road, shall require and secure from those interested in, and asking for such improvement a subscription or donation equal in amount to thirty per cent. of the cost of such improvement to aid in the construction of the same.

SECTION 5. That a majority of the board of county commissioners at a regular or adjourned session of the board shall be necessary to agree upon specifications and order said improvement.

SECTION 6. This act shall take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 8, 1887.

[House Bill No. 1063].

AN ACT

Authorizing Farmer and Hicksville townships, Defiance county, Ohio, to vote upon a proposition to improve roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Defiance county, Ohio, are hereby authorized to submit the question of a continuation of the special tax of five mills for road improvements for the years 1887, 1888, 1889, 1890 and 1891, to the qualified electors of Farmer and Hicksville townships, in said county; said election shall be held on or before November 20, 1887, the time thereof

to be fixed by said board, and the manner of holding said election to] be determined by section four (4) of an act passed March 30, 1880, entitled "an act authorizing the commissioners of Defiance county to levy a tax for road purposes." Provided, that proceedings under the provisions of this act shall not permit the county commissioners to issue bonds, and none of the receipts which shall come into the treasury of the county by virtue of the provisions of this act, shall be anticipated by said board of county commissioners.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 8, 1887,

[House Bill No. 1065].

AN ACT

To authorize the trustees of Franklin township, Ross county, to borrow money to pay debts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Franklin township, Ross county, Ohio, be and they are hereby authorized to borrow such sum as may be necessary to pay off and discharge the present floating indebtedness of said township, not exceeding the sum of one thousand dollars; and to issue bonds not exceeding the sum of one thousand dollars, in such denominations and bearing such rate of interest, not exceeding six per cent. per annum, as said trustees may determine; and to levy a sufficient tax upon the taxable property of said township to pay said bonds when due and the interest due thereon; and said bonds shall not be sold for less than their par value.

SECTION 2. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 8, 1887.

[House Bill No. 1087].

AN ACT

To authorize the council of the incorporated village of Athens, Athens county, Ohio, to issue bonds for the purpose of improving the streets, avenues and alleys of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the incorporated village of Athens, Athens county, Ohio, is hereby authorized to issue the bonds of said village in a sum not exceeding the sum of twenty-five thousand dollars, in denominations of not more than one thousand dollars, bearing interest at a rate not exceeding five per cent. per annum, payable semi-annually, and redeemable at a period not exceeding twenty-five years from date of issue. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall be made payable at such place or places as the council of said village shall by ordinance provide, and said bonds shall not be sold at less than their par value, and may be issued and sold at such times and places and in such amounts as the council of said village shall provide by ordinance.

SECTION 2. The money arising from the sale of such bonds shall be used by the council of said village for the purpose of grading and improving the streets, alleys and avenues of said village, and for no other purpose whatever.

SECTION 3. Whenever the bonds of said village shall be issued, as provided in this act, it shall be the duty of the council of said village to levy a tax on all the taxable property of said village sufficient to pay the interest accruing annually on said bonds so issued, and to create a sinking fund for the payment of the principal of said bonds as the same shall fall due; provided, that said council may create said sinking fund whenever in its judgment it shall be necessary.

SECTION 4. Before said bonds shall be issued, the council of said village shall submit the question of the issue of such bonds and the said taxation to the qualified electors of said village at a regular annual election held in said village, of which notice shall be given in two newspapers published and of general circulation in said village for two weeks prior to said election. Electors who favor issuing said bonds and levying said tax shall have written or printed on their ballots the words "Street improvement bonds—Yes;" and those electors opposed shall have written or printed on their ballots the words "Street improvement bonds—No;" and if two-thirds or more of all the votes cast at said election, upon said question, shall be in favor of said issue of said bonds and the levying of said tax, the council of said village shall be authorized and empowered to issue said bonds and levy said tax.

SECTION 5. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 8, 1887.

[House Bill No. 1105].

AN ACT

To authorize the city of Steubenville, Jefferson county, Ohio, to issue additional bonds for the improvement and paving of its streets and alleys.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city of Steubenville, Jefferson county, Ohio, be and it is hereby authorized to issue bonds upon its corporate credit, in such an amount, not to exceed twenty thousand (\$20,000) dollars, as its council shall by ordinance determine, for the purpose of continuing the improvement or paving of its streets and alleys; said bonds shall be issued in such denominations and shall be payable at such times, within a period of ten years, as the council of said city shall by ordinance determine, and shall bear a rate of interest not to exceed six per centum per annum, payable semi-annually, and further, shall be advertised and sold according to law.

SECTION 2. That the sum of money, principal and premium, realized from the sale of said bonds shall be placed in the "street improvement fund," and all special assessments made for the improvement or paving of any street or alley, or part of either, the cost of which has been paid out of such fund, shall be collected and placed in the "street improvement bond and interest funds," and only appropriated for the payment and redemption of said bonds.

SECTION 3. That for the purpose of paying the interest on said bonds, the council of said city is hereby authorized to levy annually a tax upon all the taxable property of said city, in addition to the amount already allowed to be levied by law, to be placed in the "street improvement bond and interest fund," and not otherwise appropriated.

SECTION 4. That for the purpose of paying such amount of said bonds, as the proceeds of the sale thereof shall have been appropriated for street and alley intersections, and for street and alley improvements, in excess of the amount of the special assessments collected, as provided in section 2 of this act, the council of said city shall levy a tax upon all the taxable property of said city, in addition to the amount allowed to be levied by law, to be placed in the "street improvement bond and interest fund," and not otherwise appropriated.

SECTION 5. That this act take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 8, 1887.

[House Bill No. 1060].

AN ACT

To authorize the trustees of Perry township, Logan county, Ohio, to control and regulate the flow of water from artesian or overflowing wells.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Perry township, Logan county, Ohio, are hereby authorized and empowered to cause the flow of water from artesian or overflowing wells in said township of Perry, in said county of Logan, to be so regulated, by attaching reducers to the pipes through which the water goes to waste, or in any other way by which the flow of said wells may be regulated.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 9, 1887.

[House Bill No. 1054].

AN ACT

To divide East Union township, Wayne county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That East Union township, in the county of Wayne, and state of Ohio, be and the same is hereby divided into two election precincts, as follows: commencing at the north-west corner of section eighteen in said township, thence east and parallel with the north line of said township to the north-east corner of section sixteen in said township, thence south on the east line of said section sixteen, to the south-east corner of said section sixteen, thence east and parallel with the south line of said township to the point of intersection with the east line of said township, said precincts to be named as follows: the one on the north side of said township shall be called "East Union precinct" and the one on the south side of said township shall be called "Apple Creek" precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 9, 1887.

[House Bill No. 1091].

AN ACT

To amend an act passed February 16, 1887, entitled "an act to authorize the governor of Ohio to execute a deed to Joseph Warnock.

WHEREAS, the original purchase money for the north half of the east half of the north-east quarter of section sixteen (16), township fourteen (14), of range two (2) east, Darke county, Ohio, has been fully paid; that as the original purchaser transferred all his interest to one Jacob Berry, and he has in turn transferred all his interest in the same, and thus, after passing through the hands of divers persons, to one Joseph Warnock, who is now the sole owner of the same;

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the governor of the state of Ohio is hereby authorized and required to execute and deliver a deed for said lands to said Joseph Warnock, in conformity to section 4115 of the Revised Statutes of Ohio.

SECTION 2. Said original act passed February 16, 1887, is hereby repealed.

SECTION 3. This act shall take effect and be in force from its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 9, 1887.

[House Bill No. 877].

AN ACT

To aid in the construction of a certain free turnpike, and to improve other roads in Jefferson county, and to provide funds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever the county commissioners of Jefferson county authorize the construction of a free turnpike under the one-mile assessment laws, from Portland Station to a point on the Mt. Pleasant and Martin's Ferry turnpike, at or near Mt. Pleasant in said county, the said commissioners shall cause to be paid toward said construction, a sum equal to the amount that would have been assessed on property now exempt from such assessment, by reason of the assessment heretofore made for the construction of the said Mt. Pleasant and Martin's Ferry turnpike.

SECTION 2. Said county commissioners are hereby authorized to improve, repair or construct roads or parts of roads in said county by macadamizing or otherwise, when in their opinion such improvement is for the interest of said county.

SECTION 3. To provide funds for carrying into effect the provisions of

sections one and two of this act, said commissioners may levy on the general tax duplicate of said county annually, such amount as may be necessary, not exceeding in any one year one-half of a mill on the dollar valuation.

SECTION 4. This act to take effect on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 9, 1887.

[House Bill No. 1019].

AN ACT

To authorize the council of the incorporated village of Harmar, Washington county, Ohio, to issue bonds to redeem eleven outstanding bonds of said village, for eleven thousand dollars (\$11,000).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Harmar is hereby authorized and empowered to issue bonds for eleven thousand dollars, to redeem eleven thousand dollars of outstanding bonds of said village, falling due July 1, 1887, said bonds to be payable at such time and place, not exceeding ten years, as council may determine. Said bonds shall bear interest at a rate not exceeding six per cent. per annum, interest payable semi-annually, January and July. Said bonds shall be issued in such amounts as the council may determine. Said bonds shall not be sold for less than their par value, and the proceeds arising from the sale thereof shall be used in payment of said outstanding bonds, and for no other purpose.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 9, 1887.

[House Bill No. 667].

AN ACT

To amend an act entitled "an act to authorize the commissioners of Fairfield county to accept certain graveled roads," passed April 17, 1882, (vol. 79, p. 229).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That an act entitled "an act to authorize the commissioners of Fairfield county to accept certain graveled roads," passed April 17, 1882, be so amended as to read as follows:

That the county commissioners of Fairfield county are hereby authorized and empowered to take possession of the following graveled roads: One road starting at the corporation line of Lancaster, in said county,

running southeast down the Hocking river on the east side to Sugar Grove, in said county; and also one starting at the same point, running down on the west side of the Hocking river to the same place; said commissioners shall, by order, cause said roads to be entered on record as free turnpikes, and shall cause said roads to be kept in repair as provided in part second, chapter two, title VII of the Revised Statutes of Ohio; provided, that the labor of those persons whose outlet from their lands is upon either of said roads, as provided in part second, chapter five, title VII of the Revised Statutes of Ohio, shall be required to be performed upon said roads, instead of upon other roads in their road districts.

SECTION 2. That said act entitled "an act to authorize the commissioners of Fairfield county to accept certain graveled roads," passed April 17, 1882, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 9, 1887.

[Senate Bill No. 329].

AN ACT

To authorize the trustees of the township of Bedford, Cuyahoga county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of Bedford, Cuyahoga county, be and the same are hereby authorized and empowered to transfer the sum of one hundred and fifty-two dollars and six cents, the amount of the balance unexpended of the sum of two thousand dollars authorized by an act passed April 16, 1885, to be raised by tax, for the erection of a soldiers' monument in said township, to the general township fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 11, 1887.

[Senate Bill No. 447].

AN ACT

To authorize the council of the incorporated village of Hubbard, Trumbull county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the incorporated village of Hubbard, Trumbull county, Ohio, is hereby authorized to transfer three hundred dollars (\$300) from the police fund to the general fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 11, 1887.

[Senate Bill No. 417].

AN ACT

To authorize the village council of the village of Put-in-Bay, Ottawa county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the village council of Put-in Bay, Ottawa county, Ohio, be and are hereby authorized to transfer to the prison, fire engine and town hall fund of said village the following sums, to-wit: from corporation fund, three hundred dollars; fire engine fund, three hundred and nine dollars; police fund, five hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 11, 1887.

[Senate Bill No. 328].

AN ACT

To authorize the commissioners of Hamilton county to provide for the construction of a bridge across Hunt street.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county be and they are hereby authorized and directed to levy on all the taxable property in said county, in addition to the taxes now by the law authorized to be levied thereon, a tax of fifteen one-hundredths (15-100) of a mill on the dollar valuation on the grand duplicate, of all taxable property in said county, for the year 1887, and to certify the same to the auditor of the county on or before the first Monday in June, 1887; said tax to be used in constructing a bridge, with the foundations and abutments thereof, across Hunt street, in the city of Cincinnati, so as to connect McMillan street east of Hunt street with McMillan street west of Hunt street in said city.

SECTION 2. The money arising from said tax shall be expended by and under the direction of the board of public affairs of said city, for the purpose of constructing said bridge, with the foundations and abutments thereof, and for no other purpose whatsoever, nor shall any part of said money be transferred to any other fund, or be diverted from the object expressed herein.

SECTION 3. The said board of public affairs are hereby authorized, in anticipation of the collection of said tax, to prepare plans and specifications for said bridge, and to make contracts for the construction of the same.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 11, 1887.

[Senate Bill No. 421].

AN ACT

To authorize the commissioners of Pike county, Ohio, to transfer certain funds to the Perry township turnpikes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Pike county be and are hereby authorized to transfer the surplus money arising from the "Waverly and Coopersville turnpike and Carr's Run bridge fund," and two hundred and sixty-

AN ACT

To change the name of Samuel J. Wright.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the given and surname of Samuel J. Wright, a resident of Paulding county, Ohio, be and the same is hereby changed to Samuel J. McCabe.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 11, 1887.

[House Bill No. 1064].

AN ACT

To authorize the board of education of the special school district of the village of Paulding, Paulding county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the special school district of the village of Paulding, Paulding county, Ohio, be and are hereby authorized to borrow any sum not exceeding twenty-five hundred (\$2,500) dollars, for the purpose of paying to Evan B. Kirk and Margaret E. Kimmel in such just proportions as the said board of education may determine, the aggregate sum of one thousand (\$1,000.00) dollars to cover their several losses caused in the erection of the new school building in said school district, and for the purpose of paying the present indebtedness of said board the sum of fifteen hundred (\$1,500) dollars.

SECTION 2. For the purpose of effecting the loan provided for in section one of this act, the said board of education is authorized to issue and sell the bonds of said school district in any amount not exceeding twenty-five hundred (\$2,500) dollars in any denominations not less than one hundred or more than five hundred dollars each, and not bearing a greater rate of interest than six (6) per centum per annum, and payable in not to exceed twenty (20) years from their several dates. Said bonds shall be signed by the president and countersigned by the secretary of said board; and shall not be sold for less than their par value.

SECTION 3. For the purpose of paying the interest and principal on said bonds as they may become due, the said board is hereby authorized to levy a tax on all taxable property within the limits of said school district, in such amounts as will each year meet the principal and interest then falling due on said bonds, which levy shall be placed on the tax duplicate by the auditor of said county, and collected as other taxes.

SECTION 4. Before the said board shall have the right to issue said

five dollars and ten cents from the "general turnpike fund" to the "Perry township turnpikes."

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 11, 1887.

[Senate Bill No. 305].

AN ACT

To divide the north-eastern precinct of Colerain township, Hamilton county, into three separate voting precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the north-eastern precinct of Colerain township, Hamilton county, be divided into three voting precincts, as follows, viz.: The south-eastern or Groesbeck precinct shall include all the territory contained in sections one (1), two (2), three (3), seven (7) and eight (8); the south half of sections nine (9) and fifteen (15) and the east half of sections thirteen (13) and fourteen (14); all of said sections and parts of sections being in entire range one, town two, in said township. The central precinct shall include sections four (4), five (5), ten (10), eleven (11), sixteen (16), seventeen (17), twenty-two (22), twenty-three (23) and twenty-eight (28); all of said sections being in entire range one, town two, in said township. The northern or Dunlap precinct shall include sections six (6), twelve (12), eighteen (18), twenty-four (24), twenty-nine (29), thirty (30) and thirty-six (36); said sections being in entire range one, town two, in said township; and sections one (1), seven (7), thirteen (13), nineteen (19) and twenty-five (25) in range two, town one, in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 11, 1887.

[House Bill No. 1101].

AN ACT

To change the name of Samuel J. Wright.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the given and surname of Samuel J. Wright, a resident of Paulding county, Ohio, be and the same is hereby changed to Samuel J. McCabe.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 11, 1887.

[House Bill No. 1064].

AN ACT

To authorize the board of education of the special school district of the village of Paulding, Paulding county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the special school district of the village of Paulding, Paulding county, Ohio, be and are hereby authorized to borrow any sum not exceeding twenty-five hundred (\$2,500) dollars, for the purpose of paying to Evan B. Kirk and Margaret E. Kimmel in such just proportions as the said board of education may determine, the aggregate sum of one thousand (\$1,000.00) dollars to cover their several losses caused in the erection of the new school building in said school district, and for the purpose of paying the present indebtedness of said board the sum of fifteen hundred (\$1,500) dollars.

SECTION 2. For the purpose of effecting the loan provided for in section one of this act, the said board of education is authorized to issue and sell the bonds of said school district in any amount not exceeding twenty-five hundred (\$2,500) dollars in any denominations not less than one hundred or more than five hundred dollars each, and not bearing a greater rate of interest than six (6) per centum per annum, and payable in not to exceed twenty (20) years from their several dates. Said bonds shall be signed by the president and countersigned by the secretary of said board; and shall not be sold for less than their par value.

SECTION 3. For the purpose of paying the interest and principal on said bonds as they may become due, the said board is hereby authorized to levy a tax on all taxable property within the limits of said school district, in such amounts as will each year meet the principal and interest then falling due on said bonds, which levy shall be placed on the tax duplicate by the auditor of said county, and collected as other taxes.

SECTION 4. Before the said board shall have the right to issue said

bonds, the question of issuing the same shall be submitted to the qualified electors of said school district, at a regular or special election called by the said board, of which at least ten (10) days' notice shall be given by publication in any newspaper published within the limits of said school district, of the time and place of holding such election, and if a majority of the electors voting at said election on said question shall vote in favor of the same, then and not otherwise shall the board of education of said school district be authorized to issue said bonds, as hereinbefore provided for. Those voting in favor of the proposition shall have written or printed on their ballots, "For the issue of bonds—Yes," those voting against the proposition shall have written or printed on their ballots, "For the issue of bonds—No."

SECTION 5. Said election shall, in all respects, not otherwise herein provided, be held the same as school elections are now required by law to be held in said school district.

SECTION 6. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 11, 1887.

[House Bill No. 1106].

AN ACT

To authorize the council of the village of Elyria, Lorain county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Elyria, Lorain county, Ohio, is hereby authorized to transfer the sum of three thousand (\$3,000) [dollars] from the general revenue fund of said village, to the street fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[House Bill No. 1072].

AN ACT

Supplementary to an act entitled "an act to authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road," (O. L., vol. 80, page 358).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county, Ohio, in carrying out the provisions of the act to which this is supplementary, may construct any part of said free turnpike road upon which the necessary amount or per cent. may be raised as in said act provided.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[House Bill No. 1109].

AN ACT

To authorize the board of education of the Leipsic special district in Putnam county, Ohio, to levy an additional tax for school and school house purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Leipsic special district, in Putnam county, Ohio, in addition to the taxes authorized by section 3959 of the Ohio school laws, are hereby authorized in each of the years 1877, [1887 ?] 1888 and 1889, to levy an additional tax not to exceed four mills on each dollar of the valuation of all the taxable property in said district for school and school house purposes.

SECTION 2. That before said board of education is authorized to make such additional levy it shall submit to the qualified electors of said district at a general or special election to be held by the board of education of said district, the proposition of such levy, and the rate thereof for each year, and at said election those favoring the additional tax shall have written or printed on their ballots "For taxation—Yes," and those opposed to the same shall have written or printed on their ballots "For taxation—No." Notice of the time and place of holding said election shall be given for at least ten days preceding the same, by publication in some newspaper printed and having a general circulation in said school district. And if a majority of the ballots cast at said election on said question of

taxation be favorable, then the board of education shall be empowered to levy an additional tax as provided for in section 1 of this act.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 12, 1887.

[House Bill No. 1104].

AN ACT

To authorize the city council of the city of Steubenville, Jefferson county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Steubenville, Jefferson county, Ohio, be and is hereby authorized to transfer from the general and incidental fund of said city to the fire department fund the sum of four thousand dollars, and from the general and incidental fund to the market house and city hall fund, the sum of one thousand dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 12, 1887.

[House Bill No. 1082].

AN ACT

Authorizing the trustees of Madison township, Richland county, Ohio, to levy a tax for the purpose of erecting a soldiers' and sailors' memorial library building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Madison township, Richland county, Ohio, shall, at the spring election of 1887, by giving ten days' notice thereof, submit to the qualified voters of said township, including the city of Mansfield, the question of taxation to the amount of \$40,000, for purchasing a site and erection of a soldiers' and sailors' memorial library building thereon at Mansfield, in said township; and those voting in favor of said tax shall write or print on their ballots, "Memorial Building—Yes;" and

those opposed thereto shall write or print on their ballots, "Memorial Building—No;" and if a majority of the votes cast at said election on said question shall be in favor of said tax, the trustees of said Madison township shall issue the bonds of said township to the amount of \$40,000, due and payable in such allotments, during twenty years, that their payments may be met by receipts of taxes; these bonds to bear interest not exceeding six per cent. per annum, payable semi-annually, and to be issued as needed. Said bonds shall be signed by said township trustees and attested by the township clerk. The township clerk shall keep a record thereof, and the interest and principal shall be payable at the office of the county treasurer of Richland county, Ohio. Said bonds shall be in denominations of not less than \$100.00, and be sold at not less than their par values, and for the redemption thereof said trustees shall levy a tax each and every year for twenty years, commencing with the year 1887, on all the taxable property of said township, including the city of Mansfield, not exceeding one mill each year; and for all services done or to be performed under this act, neither the trustees of the township, nor the township clerk, nor the auditor of the county, nor the treasurer of the county, shall receive or be entitled to any compensation whatever, either by way of fees, or otherwise.

SECTION 2. The court of common pleas of Richland county, Ohio, shall, if said vote for taxation is carried, appoint five persons, residents of Madison township, trustees of said memorial library building, one of whom shall be appointed for the term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years, and each and any year thereafter the said court shall appoint a successor to the trustee whose term of office then expires, and the court shall fill all vacancies occurring by the death, resignation, or otherwise, for the unexpired term or terms.

SECTION 3. On the appointment of said trustees of the memorial building by the court, the trustees of Madison township shall deliver to said trustees of the memorial building the bonds so paid as aforesaid, and said trustees of the memorial building are hereby fully empowered to sell the said bonds under the provisions and limitations of this act; and said trustees of the memorial building shall elect one of their number president thereof, one of their number secretary thereof and one of their number treasurer thereof, and the treasurer shall give bond to the state of Ohio for the use of Madison township, in the sum of \$40,000, approved by the said board, conditioned for the faithful accounting and payment of moneys and property, which shall come into his hands; and they are hereby empowered to select a site for said memorial building, purchase the same, taking the title thereof to themselves, and their successors in the office forever; and are fully empowered to construct, or have constructed thereon, a building in perpetual memory of the men of Mansfield and Madison township who served their country in any war waged therefor; and all the property held by said trustees shall be free from taxation by the state, county, or municipality.

SECTION 4. Said building shall contain an assembly room for the use of the grand army of the republic free of rent; provided, however, if the grand army of the republic ceases to exist, and there be any other organization of survivors of the soldiers and sailors of the republic, or of their sons, and successors, the trustees of the said memorial building may grant to such association the use of said assembly room, and if there be no such

organization, then the use of said assembly room shall be given to the memorial library association of Mansfield. It shall also contain a memorial room or rooms for the preservation of flags, documents, records and relics of the several wars and of the early settlement of Ohio. It shall also contain library rooms for the public library, under the management and control of "the memorial library association of Mansfield," which association shall have and enjoy said library rooms, free of rent, forever, but the books of the library shall be free to all the people of said township, under such proper and reasonable regulations as may be ordained by said memorial library association. Said trustees of the memorial building are hereby authorized and empowered to take and receive donations, legacies or devises in land or money and other property for the general purpose of aiding the objects and purposes of said memorial building and the endowment thereof, but they are not to receive any compensation for their services.

SECTION 5. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[Senate Bill No. 336].

AN ACT

To authorize the incorporated village of Clifton, Hamilton county, to borrow money for sewerage purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Clifton, in the county of Hamilton, be and hereby is authorized to borrow money, not exceeding fifty thousand dollars in amount, for the purpose of building sewers for such village; and the council of said village is hereby authorized to issue bonds of the village for the money so borrowed; said bonds to bear interest at a rate not exceeding five per cent. per annum, payable semi-annually, and said bonds shall be of such denominations, and shall mature at such times, as the council shall determine; provided, that such bonds shall not be sold for less than their par value.

SECTION 2. Said council is hereby authorized to levy such amount of tax upon the taxable property of the village as may be necessary to pay the interest and principal of such bonds when the same become due; said tax to be levied and collected in the same manner as taxes for general purposes are levied and collected.

SECTION 3. That this act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[Senate Bill No. 280].

AN ACT

To authorize the commissioners of Hamilton county to complete a certain unfinished road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Hamilton county be and they are hereby authorized and required to complete, by graveling, the Cornell county road, located in Sycamore and Symmes townships, in said county, under the supervision of the county engineer of said county; the work to be let to the lowest responsible bidder, after advertising four weeks for proposals to do the same, as is required for erecting bridges, the cost of which exceeds one thousand dollars; and they are hereby authorized to use in payment for such work out of the road fund of said county, not otherwise appropriated, such sum as may be necessary to complete said Cornell county road,

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[Senate Bill No. 297].

AN ACT

To authorize the trustees of Columbia township, Hamilton county, to issue bonds to complete town hall in western precinct of said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Columbia township, in Hamilton county, be and they are hereby authorized and empowered to issue the bonds of said township to the amount of one thousand dollars, payable in not more than ten years, as said trustees may determine, for the purpose of completing and furnishing the town hall in the western precinct of said township. Said bonds to bear six per cent. interest, payable annually, and to be of such denominations as said trustees may determine, and shall be signed by said trustees and attested by the township clerk, who shall keep a record of the same. They shall be sold at not less than their par value, and the proceeds therefrom shall be used exclusively for said

town hall purposes, under the direction of the precinct trustees of said western precinct.

SECTION 2. Said township trustees shall annually, in addition to the taxes now authorized by them to be levied according to law, levy on the taxable property of said western precinct, a sum sufficient to pay the interest and principal on said bonds.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[Senate Bill No. 299].

AN ACT

To change the name of Michael McDonnell to Charles McDonald.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Michael McDonnell, a resident of Hamilton county, Ohio, be and the same is hereby changed so as to be and read as follows, to-wit: Charles McDonald.

SECTION 2. That such change shall in no wise affect the rights, privileges, and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[Senate Bill No. 397].

AN ACT

To authorize the village council of the incorporated village of Granville, Ohio, to issue bonds to extend and improve the system of water-works in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the incorporated village of Granville, in the county of Licking, state of Ohio, be and is hereby authorized and empowered to issue the bonds of said village, in addition to the amount heretofore by law authorized to be issued, in any sum necessary to extend said system of water-works to the limits of said incorporated village, but in no case exceeding three thousand dollars, bearing interest at a rate not exceeding six (6) per cent. per annum, payable semi-annually, and be of such denomination and payable at such times as the village

council shall by resolution prescribe, but not less than one hundred dollars, nor more than one thousand dollars each; and said bonds shall be made payable within ten (10) years from the date of their issue by said village council, and which bonds shall not be sold for less than par in cash; the money arising from the sale of said bonds shall be used for the purpose of extending and improving in such way and manner as may be found necessary the system of water-works within said village, and for no other purpose or use whatsoever; the said bonds shall be signed by the mayor of said village and attested by the clerk thereof, and when said bonds are sold, the proceeds shall be paid to the treasurer of said village, who shall hold and disburse said proceeds as other village funds are by him held and disbursed.

SECTION 2. The clerk of said village shall keep a record of said bonds, showing the number, amount and date of each, when due and the rate of interest, and when paid they shall be taken up and canceled, and the fact noted on the record.

SECTION 3. For the payment of the principal and interest of said bonds, as the same shall become due, the council of said village is hereby authorized and required to levy a tax on all taxable property within the corporate limits of said village, in such amounts as will each year meet the principal and interest then falling due upon said bonds, which levy shall be placed on the tax duplicate by the auditor of said county, and collected as other taxes.

SECTION 4. Said bonds shall not be issued, nor said tax assessed, until the question shall be submitted to the voters of said incorporated village, at the next spring election, to be held in April, 1887. At said election, all voters desiring to vote in favor of issuing said bonds and levying said tax, shall have written or printed on their ballots the words, "Water-works extension—Yes;" and all voters desiring to vote against issuing said bonds and levying said tax, shall have written or printed on their ballots the words, "Water-works extension—No." No bonds shall be issued, and no tax levied under this act, unless a majority of the votes cast at said election shall be favorable thereto.

SECTION 5. Said election shall be held and controlled by the mayor and council of said village, at the usual place of holding corporation elections, and the polls shall be kept open at least ten hours, closing at six o'clock p. m. There shall be two clerks at said election, one of whom shall be the clerk of said village council, and the second clerk shall be one of the members of the village council, who shall be designated by the mayor of said village, and which clerks shall enter a complete record of said election on the records of said village council, and shall file and preserve all poll-books, tally-sheets and other papers pertaining to said election.

SECTION 6. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[Senate Bill No. 416].

AN ACT

To authorize the village council of the village of Put-in-Bay, Ottawa county, Ohio, to issue the bonds of said village to erect a town hall, including prison and fire engine room.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the village of Put-in-Bay, Ottawa county, Ohio, be and the same hereby is authorized to issue the bonds of said village for a sum not exceeding five thousand dollars (\$5,000) for the purpose of building a town hall, including prison and fire engine room; said bonds bearing interest at a rate not exceeding six per cent., payable annually, and the principal of said bonds shall be payable in ten years.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[Senate Bill No. 441].

AN ACT

To authorize the village of Wyoming to issue bonds for the purpose of building sewers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Wyoming, Hamilton county, is hereby authorized to issue bonds not exceeding in amount the sum of fifteen thousand dollars, in denominations of one hundred dollars each, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and redeemable at such times, not more than 20 nor less than 10 years from date, as council may by ordinance prescribe.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall not be sold for less than their par value, and may be sold at such times and in such amounts, from time to time, as will best carry out the purpose for which they are issued.

SECTION 3. The proceeds of said bonds shall be used for the purpose of constructing trunk sewers from the Cincinnati and Springfield pike eastwardly and northwardly to Mill creek, from Wyoming or Worthington avenue northwardly to Mill creek, from Burns avenue south and east, and from Burns avenue westwardly in said village, by the most practicable route, to provide trunk sewers for the several sewer districts of said village.

SECTION 4. Said bonds shall not be issued, nor said tax assessed, until the question shall be submitted to the voters of said village at a general election, of which at least ten days' notice shall be given by advertise-

ment in a newspaper in general circulation in said village, and by written or printed notices posted up in at least ten public places in said village; at said election all voters desiring to vote in favor of issuing said bonds and levying said tax, shall have written or printed on their ballots the words, "Sewer bonds—Yes;" and all voters desiring to vote against issuing said bonds shall have written or printed on their ballots the words, "Sewer bonds—No." No bonds shall be issued or tax levied under this act unless a majority of the votes cast at said election shall be favorable thereto.

SECTION 5. Said election shall be held and controlled by the village council of said village as it may by ordinance or resolution prescribe, and the entire record thereof and returns therefrom shall be recorded or filed among the village records.

SECTION 6. The money realized from the sale of said bonds shall be placed in a "sewer fund," and all special assessments made for the construction of any sewer, the cost of which sewer shall have been paid out of said fund, shall be collected and placed into the sinking fund for the redemption and payment of said bonds according to law.

SECTION 7. For the purpose of paying the interest on said bonds and the principal, at maturity thereof, the council of said village is hereby authorized to levy annually a tax upon all the taxable property of the village of Wyoming, in addition to the amount already allowed to be levied by law, sufficient to pay the interest and to create a sinking fund to pay the principal thereof, as the same shall fall due. And the mayor shall send to council the names of three residents of the village to act as trustees of said sinking fund, whose duties, when confirmed by the council, shall be such as council may by ordinance prescribe.

SECTION 8. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[Senate Bill No. 446].

AN ACT

To authorize the council of the village of Millersburg, Holmes county, to issue bonds for the purpose of purchasing grounds, and building thereon a town hall, with fire department buildings and corporation offices.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the village of Millersburg, Holmes county, be authorized to borrow money and issue bonds therefor, not to exceed fifteen thousand dollars (\$15,000), for the purpose of purchasing suitable grounds, and building thereon a town hall, fire department buildings and corporation offices; said bonds to be of such denomination as said coun-

cil may deem proper, and shall run for a period not exceeding ten years, to bear interest not to exceed six per cent. per annum, interest to be paid semi-annually, and to be sold for not less than their par value.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[House Bill No. 1097].

AN ACT

To authorize the city council of the city of Columbus to levy a tax for the purpose of taking care of and improving Franklin Park.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Columbus be and the same is hereby authorized to levy an annual tax to take care of and improve Franklin Park in such city; said tax not to exceed one-fifth of one mill per annum on the taxable property of such city.

SECTION 2. This act shall take effect from its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[House Bill No. 1092].

AN ACT

To authorize the trustees of Concord township, Delaware county, to levy a tax to build a township hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Concord township, Delaware county, Ohio, be and they are hereby authorized to levy a tax not to exceed five hundred dollars (\$500), for the purpose of erecting a township hall in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[House Bill No. 905].

AN ACT

To change the name of George Herman Dierkes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of George Herman Dierkes, a resident of Putnam county, Ohio, be and the same is hereby changed so as to be and read as follows, to-wit: George Herman Wanstroth.

SECTION 2. That such change shall in nowise affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[House Bill No. 1002].

AN ACT

To authorize the commissioners of Adams county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Adams county, Ohio, be and they are hereby authorized to construct the following free turnpike road, to-wit: Beginning at a point in the Rome and Mineral Springs turnpike road, and at or near the terminus of said road; thence the nearest and most practicable route via or near Mineral Springs Station, on the Cincinnati and Eastern railroad, to a point in the West Union and Locust Grove free turnpike road, at or near the town of Peebles.

SECTION 2. Said commissioners may in their discretion order at once the construction of said road; but before ordering said road shall require donations of not less than twenty per centum of the estimated cost thereof; and may issue bonds for the construction of the same, bearing six per cent. interest; which shall not be sold for less than their par value; and may levy a tax not exceeding two mills on the dollar annually on all the taxable property of said county, for the purpose of paying said bonds and the interest thereon.

SECTION 3. A majority of said commissioners may, at any regular or special session, agree upon plans and specifications, and order said improvement or any part thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[House Bill No. 968].

AN ACT

To authorize a county road to be established over and through the real estate of the state of Ohio, in Richland county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Richland county, Ohio, are hereby authorized to lay out and establish a county road sixty feet in width, over and through the real property of the state of Ohio, situate in Richland county, Ohio, as follows: Beginning at the intersection of the Oliversburg road and the county road on the south boundary line of the lands of the state of Ohio, purchased for the intermediate penitentiary in Richland county, Ohio, and at a stone in the center of said Oliversburg road. Thence N. $77\frac{1}{2}$ degrees, W. 800 feet; thence N. $50\frac{3}{4}$ degrees, W. 120 feet; thence N. 11 degrees, E. 250 feet; thence N. $69\frac{1}{2}$ degrees, W. 170 feet; thence S. $62\frac{3}{4}$ degrees, W. 1277 feet to the intersection of said county road on said boundary line; and the state of Ohio hereby grants a strip of ground 30 feet on each side of said center line aforesaid for the purpose of a county road.

SECTION 2. This act shall take effect and be in force from and after the date of its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 12, 1887.

[House Bill No. 785].

AN ACT

To authorize and direct the county commissioners of Hamilton county to improve Woodburn avenue, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Hamilton county, Ohio, are hereby authorized and instructed to lay out and improve, as herein provided, Woodburn avenue, commencing in the north line of the city of Cincinnati in the line of said avenue extended northwardly from its present terminus, and extending northwardly on as nearly a direct line as possible to the Reading road at or near the intersection of the Reading road with the big run, a distance of about one mile and a half, and to a width of not less than sixty feet.

SECTION 2. To facilitate the execution of the preceding section, the said commissioners shall appoint three freeholders of said county as trustees, to view, survey and locate the said extension of Woodburn avenue, through or upon any improved or unimproved lands on the best route

between said points of beginning and termination, and to obtain the right of way by dedication, or to agree with the owners of land over which the road will pass, for the purchase thereof, subject to the approval of the said commissioners. The said trustees shall serve without compensation.

SECTION 3. When the said trustees and the owners of the property fail to agree as to the amount of compensation, or when the owner is unknown, or incapable of contracting, the trustees shall report the same to the said commissioners with descriptions of the property sought to be appropriated, and the said county commissioners shall at once proceed in their name to ascertain and adjust the said compensation, under and in accordance with the law providing for the appropriation of private property for street purposes by municipal corporations; provided, that the amount of real estate so appropriated shall not be more than fifteen hundred feet in length of said avenue.

SECTION 4. The said trustees shall establish the grade of said avenue, after the title thereto has been obtained by grant, purchase and appropriation, estimate the cost of improving the same by grading, macadamizing, curbing and guttering the roadway, and constructing the necessary bridges, and employ an engineer to assist in so doing and report the same to said commissioners, together with all expenses of every kind, incurred in connection therewith, including the cost of the necessary real estate.

SECTION 5. When the report of the trustees, as provided in the preceding section, is filed with the county commissioners, they shall at once advertise for bids for ten consecutive days in a newspaper of general circulation in the said county, for improving said avenue between the points named, by grading and macadamizing the roadway, guttering, curbing and constructing the necessary bridges, and the said commissioners shall award the contract to the lowest and best bidder. The improvement shall be made under the immediate supervision of the said trustees, who shall report from time to time to the said commissioners, who have exclusive final jurisdiction thereof.

Provided, that before the said award shall be made, there be paid into the county treasury of said county, to be credited to a fund to be known and designated as the "Woodburn Avenue Fund," by the owners of the property benefited by said improvement, the sum of twenty-five thousand (\$25,000) dollars.

SECTION 6. Said commissioners, in addition to their other powers of taxation, are hereby authorized and directed to levy and collect in the grand levy of taxes on the taxable property of said county on the tax duplicate for the year 1887, a tax of one-eighth of a mill on the dollar, the fund so raised to be credited to the said "Woodburn Avenue Fund" and to be applied, together with the said fund contributed by the property owners, to the improvement of Woodburn avenue as herein provided.

SECTION 7. The said county commissioners shall begin the construction of said Woodburn avenue with full authority to contract for same at any time after the passage of this bill in anticipation of said levy.

SECTION 8. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives
S. A. CONRAD,
President of the Senate.

Passed March 15, 1887.

[Senate Bill No. 418].

AN ACT

To authorize the council of the city of Fremont, Sandusky county, Ohio, to refund certain erroneous assessments.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Fremont, Sandusky county, Ohio, shall pay back to any person or persons, who have been charged with, and paid to the city treasury of said city of Fremont, Ohio, any erroneous or excessive assessments for the payment of the improvement of Birchard avenue and Garrison street in the city of Fremont, Ohio, by the construction of sewers therein, and shall order the clerk of said council to draw his warrant on the said city treasurer, in favor of the person or persons having paid the same, for the full amount of the taxes or assessments so erroneously charged and collected; and the city treasurer shall pay the same out of any surplus or unexpended funds of said city, created in whole or in part by such erroneous assessment.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 786].

AN ACT

To amend sections two and three of an "act to provide for the erection of bridges over Mill creek and the Cincinnati, Hamilton & Dayton railroad, in Hamilton county," passed April 6, 1880, (O. L., vol. 77, p. 369).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections two and three of said act be amended so as to read as follows:

SEC. 2. It shall be lawful for the said board of county commissioners to appropriate the necessary property for the making of said cut and the straightening of said stream, which necessary property shall be appropriated, and the owners thereof compensated in accordance with the law in force, providing for compensation to the owner of private property appropriated for the use of corporations.

SEC. 3. That to provide for the payment of the cost of construction of such bridges, as provided for in this act, (and of the property appropriated for the said cut), said commissioners are hereby required and authorized to expend from any money in the bridge fund of Hamilton county, Ohio, not otherwise appropriated, such sum or sums as may be necessary to carry out the requirements in whole, or in part, of section one of this act,

and for the purpose of returning into the bridge fund such sum or sums so expended, and for the purpose of a full compliance with this act, the said commissioners shall and they are hereby authorized to levy and collect upon the real and personal property returned upon the grand levy of said county in the years 1887 and 1888, a tax not to exceed one-quarter of one mill for each of said years.

SECTION 2. Said original sections two and three are hereby repealed.

SECTION 3. This act shall be in force from and after its passage.

DANIEL J. RYAN,

Speaker pro tem. of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 16, 1887.

[House Bill No. 898].

AN ACT

To authorize the commissioners of Clermont county, Ohio, to build a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county are hereby authorized to construct the following free turnpike road: beginning in the line of the Williamsburg and Batavia turnpike near the residence of Frank Weaver, thence with the line of the Williamsburgh and New Richmond road through the lands of said Weaver, Joseph Glancy, W. L. Miller, O. H. Harden, M. E. Towner, John Wilson, John Hitch and the Brandriff property to the Ohio turnpike in the village of Bantam, and may widen and change, straighten and vacate any part thereof, and said commissioners shall have the power to lay out, locate and survey such turnpikes through any improved, or unimproved lands, and are hereby authorized for that purpose to condemn and appropriate the necessary lands therefor, in pursuance of the laws of Ohio for the appropriation of private property for public purposes and the payment of compensation therefor; said road to be not more than sixty feet, nor less than thirty feet wide.

SECTION 2. That said commissioners may issue bonds for the construction of said road; provided, said bonds shall not bear a higher rate of interest than six per cent. per annum, payable annually, and sold in pursuance of the laws of the state of Ohio; provided further, that said bonds may extend to such time as they can be met, at a levy of five-tenths of one mill on the dollar on the tax duplicate of said county.

SECTION 3. That said commissioners shall, before proceeding to construct said road, or any part thereof, require and secure from those interested in said improvements, a subscription or donation, equal in amount

to twenty per cent. of the cost of said improvement, or in lieu thereof require those interested to grade, culvert or construct twenty per cent. of said improvement to aid in the construction of the same.

SECTION 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding five-tenths of one mill on the dollar, annually, on all the property in said county, in addition to the taxes now authorized by law.

SECTION 5. A majority of said board of commissioners shall be necessary at a regular session, to agree upon specifications and order said improvement, or any part thereof.

SECTION 6. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887,

[House Bill No. 836].

AN ACT

To change township lines in Waterford and Watertown townships, in Washington county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the territory included within the following boundaries be detached from Watertown township and attached to and become a part of Waterford township, in Washington county, viz.: Commencing at the northwest corner of Watertown township and running thence south on the west line thereof to the southwest corner of 100-acre lot No. 8, in west branch allotment, town No. 4, range No. 10, thence east on the south line of said lot to the southeast corner; thence south to the southwest corner of 100-acre [lot] No. 57 of south branch allotment, thence east on the south lines of lots Nos. 57, 49, 41, 38, 25, 17, 9 and 1 of said south branch allotment; thence continuing east through 100-acre lot No. 81 of Rainbow Creek allotment, thence south to the southwest corner of 100-acre lot No. 75, thence to continue east on the south lines of lots Nos. 75, 70, 64, 59, 54, 49 and 44 of said Rainbow Creek allotment to the east line of said Watertown township in town No. 3, range No. 9, thence north to the northeast corner; thence west to the place of beginning.

SECTION 2. This act shall be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 976].

AN ACT

To divide Mill township, Tuscarawas county, into four election precincts. and to repeal an act therein mentioned.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Mill, Tuscarawas county, Ohio, be and the same is divided into four election precincts for state, county and township purposes; which shall be known as precinct No. 1, precinct No. 2, precinct No. 3 and Dennison precinct, all of which are described as follows:

Precinct No. 1. Beginning at the county iron bridge over Little Stillwater, at the west end of Grant street, Dennison, running south-west on the road across the P., C. & St. L. R. R. track to east end of Third street, Uhrichsville; west on center of said street to the center of Water street; south on center of Water street to the bridge over Big Stillwater Creek, near the Uhrichsville mill. Then south-easterly and up said creek to the line between the lands of Alexander Barger and Joseph Bukey. Then due west on said line to the township line; then south and east and south to the extreme south-west corner of the township; east on township line to the south-east corner of the township; then due north on township line to the Union township line. West on the line between Union and Mill townships to the north-west corner of the lands of the Isaac Wagner heirs; then following the Dennison incorporation line south and west to the iron bridge over Little Stillwater, known as the Shipton bridge; then along and down said creek in a north-westerly direction to the bridge at the west end of Grant street, Dennison, to the place of beginning.

Precinct No. 2. Beginning at the iron bridge over Big Stillwater Creek, near Collier's hardware store, Uhrichsville; east on center of Third street to and across the P., C. & St. L. R. R. to the bridge over Little Stillwater Creek, at west end of Grant street, Dennison; then down and along said creek to Big Stillwater Creek; down and along said Big Stillwater Creek to the line between the lands of Thomas Forbes and Thomas Brock; north-east on said line to the line between the lands of said Brock and Geo. Kelley; south-east along said line to the township line; then due north along township line to the extreme north-east corner of the township; west on the township line to the north-west corner of the township; south on township line to the Tuscarawas river; along said river to Big Stillwater Creek; up and along said Big Stillwater Creek to the bridge, near Collier's hardware store, the place of beginning.

Precinct No. 3. Beginning at the county bridge over Big Stillwater Creek, near the Uhrichsville mill; south and up said creek to where it intersects the line between the lands of Alexander Barger and Joseph Bukey; west on said line to the township line; then west and north and west on township line to the extreme west, south corner of the township; due north on township line to the Tuscarawas river, along and up said river to Big Stillwater Creek; east and south up said creek to the county iron bridge, at or near Collier's hardware store; east on Third street, Uhrichsville, to the center of Water street; thence south on the center of Water street to the bridge, near the Uhrichsville mill, the place of beginning.

Dennison Precinct. Beginning at the arch railroad bridge over Little Stillwater Creek, between Uhrichsville and Dennison, following said creek

up, and in a south-easterly direction to the county bridge over said creek; known as the Shipton bridge; south, and following the Dennison incorporation line around to the south-east corner of the Hester McKee land; due north and due west along the township line to the south line of lands of George Kelley; along the Kelley line to the line between said Kelley and Thomas Brock; then along the line between Thomas Brock and Thomas Forbes to Big Stillwater Creek; south and up Big and Little Stillwater Creeks to the arch railroad bridge, the place of beginning.

SECTION 2. That the elections in said precincts aforesaid, shall be held at such places as the trustees of said township of Mill may prescribe.

SECTION 3. That an act entitled an act to divide Mill township, Tuscarawas county, into five election precincts, passed February 10, 1885, be and the same is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 927].

AN ACT

To relieve Thomas H. Furgason, surety on the bond of James Love, treasurer of Waterloo township, Athens county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Waterloo township, Athens county, is hereby authorized to release Thomas H. Furgason as surety on the official bond of James Love, as treasurer of said township, from payment of the judgment for \$1,185.10 rendered by the court of common pleas of Athens county at the May term, 1878, thereof, in the suit of Charles V. Lewellen, clerk of said board, against James Love, Abiram McVey and Thomas H. Furgason.

SECTION 2. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 1120].

AN ACT

To provide for the issue and sale of bonds to erect a school-house in Broughton and Hedges special school district in Jackson township, Paulding county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Broughton and Hedges special school district in Jackson township, Paulding county, Ohio, is hereby authorized to issue and sell the bonds of said special school district to the amount of not more than five thousand (\$5,000) dollars, for the purpose of purchasing a site, to be selected by the said school board at some place equidistant from the middle portion of the villages of Broughton and Hedges in said school district, and of erecting thereon a school-house. Said bonds shall bear a rate of interest not exceeding six (6) per centum per annum, and shall be payable in not to exceed fifteen (15) years from the date thereof; shall be signed by the president of the board and countersigned by the clerk, and shall not be sold for less than their par value.

SECTION 2. The said board of education is hereby authorized to levy annually such an amount on all the taxable property of said special school district as will meet the interest and principal on said bonds, as it may become due.

SECTION 3. Provided, that the said board of education shall not issue or sell said bonds as provided for in section one (1) of this act, before they shall have submitted to the legal electors of said special school district the question of issuing and selling the said bonds. Notice of such election shall be given for ten days previous to the holding of said election, by the posting of not less than three written or printed notices in three several public places in said school district. Said notices shall state the purpose of said election and the time and place of holding the same. At the said election those favoring the proposition to issue and sell the bonds as provided for in section one (1) of this act, shall have written or printed on their ballots, "For sale of bonds—Yes;" and those opposed to said proposition shall have written or printed on their ballots, "For sale of bonds—No." And if a majority of the votes cast at the said election on said proposition be in favor of said proposition, the said board of education shall be authorized to issue and sell the said bonds and levy said tax, and not otherwise.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD.
President of the Senate.

Passed March 16, 1887.

[House Bill No. 923].

AN ACT

To authorize the incorporated village of Bowling Green, Wood county, Ohio, to issue bonds to raise money to encourage manufacturing.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the incorporated village of Bowling Green, Ohio, by its council, be authorized to issue bonds, in a sum not exceeding ten thousand dollars, for the purpose of encouraging manufacturing enterprises in said village: said bonds to be signed by the mayor and countersigned by the clerk of said village, and to be for sums not less than one hundred dollars, nor more than five hundred dollars each, and bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, the principal and interest of said bonds to be payable at such bank in the city of Toledo, Ohio, as the council may direct; provided, that said bonds shall not be sold for less than their par value.

SECTION 2. That for the purpose of paying said bonds and interest thereon, as the same becomes due, the council is hereby authorized and empowered to levy and assess a tax, in addition to all other levies authorized by law, on the taxable property of said village, annually, commencing with the year 1887, as shall be sufficient to pay principal and interest of said bonds as the same becomes due and payable; provided, that only the interest on said bonds shall be made payable by said council for the years 1887 and 1888; and the money so raised shall not be used for any purpose other than paying said bonds and the interest thereon; provided, that the question of issuing said bonds, shall first be submitted to a vote of the qualified electors of said village at a special election held in said village, ten days' notice whereof shall be given by publication in the village newspapers, or by posting written notices in five public places in said village, or both; and if a majority of the votes cast at said election shall be in favor of issuing said bonds, the council shall have the authority to issue the same as hereinbefore provided.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 433].

AN ACT

To authorize the city council of the city of Sandusky, Ohio, to issue bonds to complete the market-house in course of construction in said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Sandusky, in the county of Erie, state of Ohio, be and hereby is authorized and empowered to issue the bonds of said city, in addition to the amount heretofore by law authorized to be issued, in any sum necessary to complete the market-house now in course of construction in said city, but in no case exceeding four thousand dollars (\$4,000), bearing interest at a rate not exceeding five (5) per cent. per annum, payable semi-annually, and to be of such denominations as the city council shall by ordinance prescribe, but not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) each, and said bonds shall be made payable within ten (10) years from the date of their issue by said city council, and shall not be sold for less than par in cash; the money arising from the sale of said bonds shall be used for the purpose of completing in such way and manner as may be found necessary, the market-house now in course of construction in and for said city, and for no other use and purpose whatever; the said bonds shall be signed by the mayor of said city, attested by the clerk thereof, and sealed with the seal of the corporation; and when said bonds are sold, the proceeds shall be paid to the treasurer of said city, who shall hold and disburse said proceeds as other city funds are by him held and disbursed.

SECTION 2. For the purpose of paying the principal and interest on said bonds as the same become due and payable, the said council are hereby required to levy annually, on all the taxable property of said city, a sum sufficient to pay the same, in addition to all other taxes authorized by law, and the same shall be collected as other taxes.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 440].

AN ACT

To amend an act to authorize the commissioners of Montgomery county a bridge across Mad river, passed April 19, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act to authorize the commissioners of Montgomery county to build a bridge across Mad river, passed April 19, 1883, be amended and supplemented so as to read as follows:

SECTION 1. That the commissioners of Montgomery county, Ohio, be

and they are hereby authorized and empowered to build a bridge across Mad river at the point where the county road crosses said Mad river, at or near its mouth, and to construct the necessary approaches thereto; and for the purpose of raising the money to build said bridge and construct said approaches, said commissioners are hereby empowered to issue the bonds of said county, not to exceed twenty thousand (\$20,000) dollars, in sums not less than one hundred, nor more than one thousand dollars each, and said bonds shall be payable at such times as said commissioners may deem most advantageous, not exceeding seven years from the date of their issue, and said commissioners are authorized to negotiate and sell said bonds at not less than their par value; but the interest on said bonds shall not exceed six per cent. per annum.

SECTION 2. Said bonds shall be signed by the commissioners and countersigned by the auditor of said Montgomery county, who shall keep a record of all bonds issued under and by virtue of this act.

SECTION 3. For the purpose of paying the interest and principal of said bonds, said commissioners are hereby authorized and empowered, in addition to the other levies authorized by law, to levy a tax on the grand duplicate of said Montgomery county, Ohio, sufficient in amount to pay said interest and principal, and such tax shall be levied and collected in the same manner as other taxes are levied and collected.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 470].

AN ACT

To authorize the commissioners of Montgomery county to build a bridge across Mad river, and to issue the bonds of said county therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Montgomery county, Ohio, be and they are hereby authorized and empowered to build a bridge across Mad river, at or near Finley street, in the city of Dayton, and to construct the necessary approaches thereto, and for the purpose of raising the money to build said bridge and construct said approaches, said commissioners are hereby empowered to issue the bonds of said county, not to exceed \$20,000.00, in sums not less than \$100.00, nor more than \$1,000.00 each, and said bonds shall be payable at such times as said commissioners may deem most advantageous, not exceeding ten years from the date of their issue, and said commissioners are authorized to negotiate and sell said bonds at not less than their par value; but the interest on said bonds shall not exceed six per cent. per annum.

SECTION 2. Said bonds shall be signed by the commissioners and countersigned by the auditor of said Montgomery county, who shall keep a record of all bonds issued under and by virtue of this act.

SECTION 3. For the purpose of paying the interest and principal of said bonds, said commissioners are hereby authorized and empowered, in addition to the other levies authorized by law, to levy a tax on the grand duplicate of said county, sufficient in amount to pay said interest and principal, and such tax shall be levied and collected in the same manner as other taxes are levied and collected.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 115].

AN ACT

To authorize the commissioners of Hamilton county to purchase part of the Columbia and New Richmond turnpike and bridge company's turnpike, and to raise the same above high water mark.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county be and they are hereby authorized and empowered to purchase that part of the Columbia and New Richmond turnpike and bridge company's turnpike lying between its western terminus, at the corporation line of the city of Cincinnati, and the junction of said turnpike with the Salem branch of said company in Anderson township, and by filling or otherwise to raise above high water mark the part of said turnpike so purchased; and it shall become a free turnpike, to be maintained and kept in repair by said commissioners. If said commissioners are unable to agree with said turnpike company on the terms of purchase, they may proceed to ascertain the value thereof in the name of said commissioners under the law providing for the appropriation of private property by corporations, chapter 8, R. S. of Ohio.

SECTION 2. That for the purpose of making said purchase and raising said road above high water mark, said commissioners are hereby authorized to issue the bonds of said county, not to exceed twenty thousand dollars, in denominations not to exceed \$500, and payable at such times as said commissioners may determine, not to exceed ten years from their date, and to bear interest not to exceed five per cent. per annum.

SECTION 3. This act to take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 1084].

AN ACT

To authorize the county commissioners of Adams county, Ohio, to purchase a certain turnpike therein described and to maintain the same as a free turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Adams county be and they are hereby authorized to purchase, at a fair valuation, so much of the Zanesville and Maysville turnpike road as is situated, lying and being in Adams county, Ohio.

SECTION 2. Said county commissioners are hereby authorized to issue bonds for the purchase of said road; said bonds to bear interest at the rate of not exceeding six per cent. per annum, payable semi-annually, and shall be sold according to law at not less than par.

SECTION 3. For the purpose of paying said bonds said commissioners are hereby authorized to levy a tax, not exceeding one-half of one mill on the dollar annually, on all the taxable property in said county of Adams.

SECTION 4. This act to be in force on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 904].

AN ACT

To authorize the issue of bonds to build free turnpike roads in the village of Cardington, and also in the township of Cardington, in Morrow county, Ohio, by the trustees of said township and the council of said village acting conjointly.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Cardington township and the council of the village of Cardington, both in Morrow county, Ohio, are authorized and instructed to act conjointly in issuing the bonds of said village and township, to the amount of not more than thirty thousand (\$30,000) dollars, for the purpose of building free turnpike roads in said village and township.

SECTION 2. Said bonds shall be signed by the trustees and clerk of the said township, and the mayor and clerk of the said village. They shall be payable within not to exceed ten (10) years; shall bear a rate of interest not to exceed six (6) per cent. per annum, and shall not be sold for less than par.

SECTION 3. To meet the interest and principal on said bonds, as they may become due, the trustees of said township and the council of said village shall levy a tax not to exceed three (3) mills on each dollar of taxable property of said township and village, each year, until the said bonds and the interest on the same is fully paid.

SECTION 4. The said trustees and council, as a joint board, shall be vested with the same powers as are given to the county commissioners in chapter six (6), title seven (7) and part two (2) of the Revised Statutes of Ohio; provided, that on all questions the village council shall have the casting of one-half of the votes of the joint board so formed, and the trustees the casting of one-half of said vote.

SECTION 5. Before issuing the bonds of the said village and township, the question of issuing the bonds and levying the tax shall be submitted to the qualified voters of said village and township; notice of which shall be given to the voters of the said township by the clerk of that township, and to the voters of said village by the clerk of that village; each of whom shall cause to be printed in any newspaper of general circulation in said township and village, a notice of said election, which shall state the purposes and time and place or places of holding said election; said notice shall be printed for not less than two consecutive weeks before the holding of the said election. All persons voting at the election held under the provisions of this act, who are in favor of the taxation and other provisions mentioned in the preceding sections of this act, shall have written or printed on their ballots, "For taxation;" and all persons against taxation and the other said provisions of this act, shall have written or printed on their ballots, "Against taxation." And if a majority of the votes cast at such election be "For taxation," then the said joint board of trustees and council shall proceed as provided for in the preceding sections of this act.

SECTION 6. This act shall take effect and be in force on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 1145].

AN ACT

To authorize the village of New Lisbon, Columbiana county, Ohio, to issue bonds to continue the improvement of water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village of New Lisbon, Columbiana county, Ohio, be and is hereby authorized to issue bonds, not to exceed in amount the sum of ten thousand (\$10,000) dollars, for the purpose of continuing water works improvement of said village, and the corporate faith, property and credit of said village shall be pledged for the payment of the same.

SECTION 2. That said bonds shall be issued and sold according to law, and shall bear a rate of interest not to exceed six per centum per annum, payable annually. Said bonds shall be payable within twenty years, at such times as the council of said village shall by ordinance determine.

SECTION 3. That any surplus in the treasury received from water rents shall be set aside, from time to time, by the water-works trustees of

said village for the redemption and payment of said bonds and for the payment of interest due thereon.

SECTION 4. That for the payment of all such bonds and the interest thereon that may not be made out of the surplus by the water-works trustees, the council of said village are authorized to levy a tax upon all the taxable property of said village for each payment that may not be provided for by said surplus.

SECTION 5. Provided, before said bonds are issued, the village council shall submit the proposition to the electors of said village at some general election, or at such time as a majority of said council shall by resolution determine; notice of which shall be given, and of the time and place of holding said election, and the amount of bonds to be issued, at least fifteen days' prior to the time of holding such election by one insertion at least in two newspapers of general circulation in said village. And the form of the ballot shall be as follows: Those in favor of continuing [water-] works improvement and the issuing of bonds therefor, shall have written or printed upon their ballots, "Continuation of water-works—Yes:" those who are opposed to the continuation of water-works improvement and the issuing of bonds therefor, shall have written or printed upon their ballots, "Continuation of water-works improvement—No."

SECTION 6. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 1130].

AN ACT

To authorize the city council of the city of Gallon, Ohio, to issue bonds for the purpose of erecting or purchasing an electric light plant.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Gallon, Ohio, be and is hereby authorized and empowered to issue bonds of said city, in a sum not exceeding twelve thousand dollars (\$12,000), in denominations of five hundred dollars (\$500) each, bearing interest not exceeding six per cent. per annum, payable semi-annually, and made payable at such times as said city council may by resolution prescribe, but not to exceed ten (10) years. Said bonds shall not be sold for less than their par value, and the proceeds arising from the sale thereof, shall be used for the purpose of erecting or purchasing an electric light plant, and for no other purpose.

SECTION 2. That the city council of said city shall annually appropriate out of any money in the city treasury that shall hereafter be

levied and collected as taxes, for the purpose of paying the cost and expenses of lighting said city, a sum sufficient to pay said bonds and the interest thereon at maturity.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 413].

AN ACT

To authorize the county commissioners of Ashland county to issue bonds for the purchasing of a site for and building an armory at the village of Polk in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of the county of Ashland are hereby authorized and empowered to issue the bonds of said county for a sum not to exceed twenty-five hundred dollars, for the purpose of purchasing a site and erecting thereon an armory at the village of Polk in said county. Said bonds may be issued in such denomination as said commissioners may deem best, and shall bear interest not exceeding six per cent., payable semi-annually, and redeemable at such time as said commissioners may determine, said bonds to not be sold for less than par value.

SECTION 2. That for the purpose of paying the bonds issued under the provisions of said act, and the interest thereon as the same become due, said commissioners are hereby authorized and empowered to levy and assess a tax upon all the taxable property of said county, in addition to the amount now allowed by law, a sum sufficient in amount each year during the period said bonds may run, to pay the interest on, and to redeem that portion of the bonds issued in pursuance of this act that will fall due during such year; and the money so raised shall not be used for any purpose other than for the payment of said bonds and the interest thereon.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 1052].

AN ACT.

To authorize the commissioners of Defiance county, to borrow money to provide funds so as to enable the commissioners as appointed to carry out the provisions of an act passed May 19, 1886, in and for Defiance county, for the immediate relief of indigent Union soldiers, sailors and marines and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors and marines.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Defiance county, for the purpose of raising money for the purpose of relieving the pressing and immediate wants of indigent Union soldiers, sailors and marines and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors and marines who are residents of said Defiance county, be and they are hereby authorized to borrow an amount not exceeding seven hundred dollars at a rate of interest not to exceed six per cent. per annum and issue the bonds or other obligations of said county to secure the payment of the principal and interest thereon. The said interest shall be paid annually, and the principal shall be paid at such times as the commissioners may prescribe within five years from the date of such indebtedness and said bonds or obligations shall not be sold for less than their par value.

SECTION 2. Said commissioners shall annually, at their June session, levy such tax upon all the taxable property of said Defiance county, in addition to all other taxes now authorized by law to be levied, as will pay the interest upon the bonds so issued and also provide a fund to pay the principal of said indebtedness as it may mature.

SECTION 3. The township trustees of the several townships in said county are hereby authorized and required to make a written report to the county commissioners on or before the 31st day of March, 1887, containing a list of all names of resident indigent Union soldiers, sailors and marines or the indigent wives, widows or minor children of the same.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 468].

AN ACT

To authorize the council of the village of Niles, Trumbull county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Niles, Ohio, be and the same are hereby authorized and empowered to transfer one thousand dollars from the general fund, and six hundred dollars from the police fund, two hundred dollars of which to the light fund, and fourteen hundred dollars thereof to the fire fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 449].

AN ACT

To authorize the board of trustees of the First United Presbyterian Church of Bellefontaine, Ohio, to sell real estate.

WHEREAS, On the 28th day of December, A. D. 1836, a special act of the general assembly of Ohio was passed, incorporating the First Associate Reformed church of Bellefontaine, Ohio; and whereas, in the year A. D. 1858, said church unanimously formed an union with the Associate Presbyterian church of the same place, under the name and style of the First United Presbyterian church of Bellefontaine, Ohio, and under said last mentioned name has become and now is duly incorporated, and has succeeded to the rights and privileges of said first mentioned society; and WHEREAS, it is necessary to sell the real estate held by said first mentioned church at the time of said union, and at a meeting of said congregation a resolution was unanimously adopted authorizing the trustees thereof to sell and convey the real estate hereafter described for the purpose of purchasing other property and erecting a new church building thereon; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the First United Presbyterian church of Bellefontaine, Ohio, be and they are hereby authorized and empowered to sell and convey, for such sum and upon such terms of credit as they may deem right, the north half of lot fifty-seven (57) and twenty-five feet off the east

side of the north half of lot No. fifty-two (52) as the same is known and designated on the recorded plat of the village of Bellefontaine, Logan county, Ohio, and the proceeds derived therefrom to be by them used in the payment of such other real estate and for the erection of necessary buildings thereon.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 385].

AN ACT

To authorize the commissioners of Muskingum county to sell the Muskingum County Railway.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of commissioners of Muskingum county are hereby authorized to sell and convey all the right, title and interest in and to the Muskingum County Railway now owned by said county, with all and singular the appurtenances, appendages, works, conveniences, privileges and franchises thereunto in any manner belonging and necessary or convenient in the use and operation of said railway, including the line of telegraph and its appurtenances and appendages, and all terminal facilities of said railway in the city of Zanesville, in said county, and the right to use, operate, control and possess the same, at a price not less than one hundred and thirty thousand dollars, upon such terms as to cash, to be paid on day of sale, and as to time for the residue, not exceeding ninety days from day of sale, as the commissioners shall deem proper; but no transfer or conveyance of the property so sold shall be made until the purchase price thereof under such sale shall be fully paid; and such sale shall include all claims and demands, including rents and interest, in favor of said county remaining unpaid, which shall have accrued up to the day of sale, as against "The Bellaire, Zanesville and Cincinnati Railway Company," whether under a certain contract of lease between the trustees of said Muskingum County Railway and the said "The Bellaire, Zanesville and Cincinnati Railway Company," dated September 5th, 1883, and recorded in the recorder's office of said county, in record of leases, book No. 42, pages 238 and 239, or otherwise. Said sale shall be at public auction, at the front door of the court house in Zanesville, aforesaid, after the notice of such sale shall have been advertised for at least four weeks in five newspapers in Ohio, and also in a paper in each of the cities of New York, Boston and Chicago, or elsewhere, as said board of commissioners

may deem proper. The said board of commissioners shall have the power to reject any and all bids, unless the same shall be accompanied by a deposit with said board of five thousand dollars. The deposit accompanying the accepted bid shall be forfeited to said county if the person or persons making such bid shall not, within fifteen days after the day of sale, pay to the board of commissioners, aforesaid, the balance of such bid. Whatever shall be necessary on the part of said commissioners to complete such sale and the transfer thereunder, the said board of commissioners is hereby fully empowered to do. Deposits accompanying bids not accepted shall be immediately returned to the person making the same.

SECTION 2. That from and after the passage of this act, the board of trustees of said Muskingum County Railway is hereby abolished, and all of the functions and powers conferred upon said board by the act entitled "an act authorizing certain counties to build railroads and to lease or operate the same," passed April 1, 1881, (O. L., vol. 78, p. 99), and which up to the time of such sale shall not have been exercised by said board of trustees, as well as any power or duty on the part of said board, reserved or provided for in the contract of lease referred to in section 1 of this act, shall, upon the passage of this act, be vested in the said board of county commissioners.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 235].

AN ACT

To authorize the commissioners of Allen county, Ohio, to levy an additional tax for county purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Allen county, Ohio, be and they are hereby authorized to assess and collect, upon the general levy of all taxable property in said county for county purposes, six-tenths (6-10) of one mill on each dollar of valuation thereof in addition to the amount now authorized by law to be levied for said purpose, to meet a deficiency now existing in said fund; provided, said levy shall not increase the total of the levies for all purposes now authorized by law to be made.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, [1887.]

[House Bill No. 860].

AN ACT

To authorize the commissioners of Pike county, Ohio, to transfer certain funds to the general turnpike fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Pike county be and are hereby authorized to transfer the surplus money arising from "the Latham, Byington and Sinking Springs free turnpike fund," "the Waverly and Buchanan free turnpike fund," and "the Coopersville and Camp Creek free turnpike fund" to "the general turnpike fund."

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 859].

AN ACT

To authorize the commissioners of Pike county, Ohio, to transfer certain funds to the general bridge fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Pike county be and are hereby authorized to transfer the surplus money arising from "the Piketon bridge fund" and "the Sharonville bridge fund" to "the general bridge fund."

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 796].

AN ACT

To authorize and require the commissioners of Hamilton county to levy a tax for improving, grading and macadamizing the road known on the county plats as the Winton road in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, Ohio, be and they are hereby authorized and required to assess and collect upon the general levy of all the taxable property of said Hamilton county, a tax of not

less than one twenty-fifth nor more than one-twentieth of a mill on each dollar valuation thereof, to be divided equally into the levies of 1887 and 1888, which shall be applied by and under the direction of said county commissioners, in improving, grading and macadamizing the said Winton road, beginning at its intersection with the North Bend road, and thence southerly to a point north of Winton Place, distant sixty-four hundred feet from the intersection of the Winton road with Spring Grove avenue; the part of the Winton road to be so improved being one and a half miles in length, more or less; and any unexpended surplus arising from said tax shall be appropriated by said commissioners to the repair and maintenance of said improved road.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 1139].

AN ACT

To authorize the commissioners of Brown county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Brown county, Ohio, be and they are hereby authorized to construct the following free turnpike road: Beginning at the center of the Bradysville turnpike, near the iron bridge school-house on Eagle creek, thence up said creek on the most practical route through the lands of A. B. Martin's heirs, the lands of Messrs. Monroe, Griffy and Miller, to a point in the county road at or near Thomas Beck's residence.

SECTION 2. Said county commissioners may, if they deem best, issue bonds for the construction of this road; provided, said bonds bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and shall be sold according to law at not less than par.

SECTION 3. Said county commissioners shall, before proceeding to construct said road or any part of the same, require and secure from those interested in said improvement a subscription or donation equal in amount to twenty per cent. of the cost of said improvement, to aid in the construction of the same.

SECTION 4. For the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding

one-fourth of one mill on the dollar, annually, on all taxable property in said county.

SECTION 5. A majority of said board of county commissioners shall, at a regular session, be necessary to agree upon specifications, and order said improvement or any part thereof.

SECTION 6. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 1136].

AN ACT

To amend sections 3 and 5 of an act entitled "an act to authorize the board of education of Wayne township, Wayne county, Ohio, to borrow money," passed April 2, 1886, Laws of Ohio, vol. 83, page 300.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 3 and 5 of an act passed April 2, 1886, O. L. vol. 83, page 300, be so amended as to read as follows:

SEC. 3. That for the purpose of paying the principal and interest of said bonds, said board of education may levy annually a tax on all the taxable property in said township, in addition to the levy now authorized by law, until all said bonds and interest thereon are paid; provided, that said board of education may, and is hereby authorized to pay said loss out of any surplus of contingent fund in the treasury of said township.

SEC. 5. It shall be the duty of said board of education before submitting said proposition to a special election, to give notice by advertisements posted in five conspicuous places in said township, at least ten days next preceding said election, stating the object thereof; but if submitted at any general election, no advertisement shall be required, and the form of the ballot shall be as follows: "Borrow money—yes;" "Borrow money—no"; and in case two-thirds of the qualified electors voting on said proposition shall vote in favor of the same, said board shall thereby be duly authorized in the premises. Said trustees shall make due return of the result of said election to the auditor of said county.

SECTION 2. That sections 3 and 5 of said act passed April 2, 1886, be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887

[House Bill No. 1135.]

AN ACT

To authorize the council of the village of Fostoria, Seneca county, Ohio, to transfer money from the marshal and police fund to the lighting street fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Fostoria, Seneca county, Ohio, be and it hereby is authorized permanently to transfer from the marshal and police fund of said village to the lighting street fund, the sum of fourteen hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 1137.]

AN ACT

To authorize the village of West Liberty, Logan county, to levy an additional tax to improve its cemetery.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of West Liberty be and they are hereby authorized to levy a tax, not exceeding one-half mill in any one year on all the taxable property on the duplicate of said village, for the purpose of improving the cemetery of said village, and the levy for said purpose to be placed on the tax duplicate and collected as other taxes; and the money raised by such levies shall be used only for the purpose named in this act; said tax shall not be levied for more than two years.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 861].

AN ACT

For the relief of W. A. Sharick.

WHEREAS, The safe of W. A. Sharick, treasurer of Congress township, Wayne county, Ohio, was burglariously broken open on the night of the 16th of March, 1886, and was robbed of six hundred and ninety dollars and seventy cents (\$690.70) belonging to the township, road, bridge and school funds of said township; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Congress township, Wayne county, Ohio, are hereby authorized to release said W. A. Sharick and his official securities in their official bonds as treasurer of said township, from the payment of said sum of six hundred and ninety dollars and seventy cents (\$690.70) belonging to the township, road, bridge and school funds of said township; provided, that the said trustees shall submit said proposition to release to the qualified electors of said township, at a general or special election, and a majority of said electors voting at such election shall declare in favor of such release.

SECTION 2. It shall be the duty of said trustees, before submitting said proposition at said election, to give notice by advertisements posted in three conspicuous places in said township, at least ten days preceding said election, stating the object thereof; and the form of the ballot shall be the following: "For release—yes"; "For release—no." The trustees shall provide a special ballot-box for such ballots, and make due return of the result of said election to the auditor of said county.

SECTION 3. This act shall take effect on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 1119].

AN ACT

To authorize the board of education of Lick township, Jackson county, to increase the tax levy for paying debts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Lick township, Jackson county, be and they are hereby authorized to levy, for the years 1887, 1888 and 1889, in addition to the amount now authorized by law for school purposes, a tax

not exceeding three mills (03) on the dollar of the assessed valuation for taxation of all the property of such township, for the purpose of paying a present deficiency and the interest accruing thereon.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 1110].

AN ACT

To authorize the commissioners of Ross county to construct certain free turnpike roads in said county and to repeal a certain act therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Ross county, Ohio, be and they are hereby authorized to construct, in the year 1887 or any year thereafter, six free turnpikes in said county along the following described routes: The first of said free turnpikes commencing at the railroad station on the Ohio Southern railroad, in Paint township, in said county, known as Bethesda; thence westward by the present traveled road, except when a better or more direct route can be had, to an intersection with the Greenfield and Rapid Forge free turnpike at school house No. 1, in said Paint township; the second of said free turnpikes to be upon whichever of the two routes below described the said commissioners may select, to-wit: First route commencing in the Charleston and Chillicothe free turnpike at Mt. Carmel church, running thence westward with the present traveled road except when the same can be improved by a more direct route or placed upon better ground, crossing Lick Run at school house No. 4, to an intersection with said Charleston and Chillicothe free turnpike at what is known as Brown's blacksmith shop; second route commencing at the center of section No. 14, Springfield township, near the residence of Wesley Orr, thence west one-half mile; thence in a southwest course through the lands of the heirs of Jacob Miller about one-half mile to the Lick Run road, near the residence of George Dolby, thence westward with the Lick Run road to the road intersecting the same near the residence of Thomas Remley; thence with said road which intersects said Lick Run road southwest, straightening the same upon and through the lands of Remley, Jane Hough and Catherine Redmond to the Chillicothe and Dry Run road just west of the residence of George T. Brant, thence with said Dry Run road westward to the Charleston and Chillicothe free turnpike at "Brown's blacksmith shop," a distance of two and three-fourth miles, both said routes being wholly within Springfield township in said county. The third of said free turnpikes commencing at a point in the Greenfield and Slate Mills free turnpike at what is known as the "old Alemang resi-

dence," in Bucks skin township in said county; thence by the present traveled road past John Leslie's residence eastward to Roxabel in Concord township in said county. The fourth of said free turnpikes commencing at a point in the "Hayne's Mill and Clarksburg road" in Concord township in said county; thence northwestwardly a distance of about three and three-quarter miles to an intersection with the Clarksburg and Asbury Chapel road near the residence of William L. Mallow being wholly within said Concord township and known as the "Putnam road." The fifth of said free turnpike roads commencing at a point in the Frankfort and Roxabel free turnpike at the northeast corner of John Dunlap's land, thence by what is known as the Good Hope and Frankfort road westward to what is known as the Slate Hill road, at the west line of William Crawford's land, also as a part thereof a branch of said free turnpike road commencing in said Good Hope and Frankfort road where the road to Little Creek leaves the same near the residence of Sanford Sheeley, thence by the traveled road southwestward a distance of one mile and fifty rods to the residence of Joseph Ferneaur, on Little Creek, in Concord and Bucks skin townships in said county; the sixth of said free turnpikes being all of the Chillicothe and McArthur, Ohio, between Salt Creek and the east line of Ross county, in Liberty township.

SECTION 2. That said commissioners of said county are hereby authorized to construct in the year 1888 or in any year thereafter, seven free turnpike roads in said county along the following described routes: the first of said turnpike roads constructed under this section commencing at the village of Kingston in said county, thence running south by the present traveled road crossing Kinickinick creek at the west line of what is known as the school land to the Adelphi and Hallsville free turnpike at the residence of Wilson Cox, all said route being in Green township in said county; the second of said free turnpike roads commencing at the village of South Salem, in said county, running thence southward by what is known as the "Morton road" a distance of one and three-fourths miles to a corner of Aaron Cox's land near his residence, said route being in Bucks skin township in said county; the third of said free turnpike roads commencing in the county road in Twin township in said county, on the lands of H. Keith at a gate, thence southward through her lands and the lands of William A. Jones and Henry Snyder a distance of about three miles and one-fourth to a point in the county road in Huntington township, in said county, about two hundred yards east of the residence of Ferdinand Rihle; the fourth of said free turnpikes commencing at or near the seven mile post on the Chillicothe and Waverly free turnpike south of Chillicothe, thence southwestward up the Indian Creek road, except when the same can be changed so as to run upon better ground, a distance of about five miles to Farmersville, the whole of said route being in Scioto, Franklin and Huntington townships in said county; the fifth of said free turnpikes commencing at the town of Richmondale in said county, thence running eastward with what is known as the Chillicothe and Jackson state road to the county line, a distance of about two and three fourths miles, except when the line of said road can be placed upon better ground, said route being wholly in Jefferson township in said county; the sixth of said free turnpike roads, commencing in the Greenfield and Slate Mill free turnpike road about one mile eastward of Lyndon, Bucks skin township, in said county, on the line between Allen Stinson and Ed. Parrett, thence northward through the

lands of Allen Stinson, William P. Lavery and Ned James, a distance of one and seven-eighths miles to the road leading along the north line of Ned James' land, said route being all in Bucks skin township in said county; the seventh of said free turnpikes commencing in the Greenfield and Slate Mill free turnpike where the same intersects what is known as the West Fall road, thence with said road southwesterly to an intersection with the Lower Twin free turnpike road about one-fourth of a mile east of the town of South Salem, the whole of said route being in Bucks skin township in said county.

SECTION 3. That said commissioners of said county are hereby authorized to construct in the year 1889, or any year thereafter, four free turnpike roads in said county along the following described routes: the first of said free turnpike roads constructed under this section commencing at Wright's town, in Union township in said county, running thence northward by the Chillicothe and New Holland road a distance of about five miles to the north county line of said county; the second of said free turnpikes constructed under this section commencing at the village of Clarksburg, in Deerfield township in said county, running thence westward along the Clarksburg and Greenfield road to Austin Station in Concord township in said county, a distance of about six miles; the third of said free turnpikes constructed under this section commencing in the road running from Pisgah Church, in Bucks skin township, in said county to Greenfield, at the end of the present graveled part of said road near the residence of Washington Mains, thence with said road northeast, past Pisgah Church a distance of two miles, being all in said Bucks skin township; the fourth of said free turnpikes constructed under this section commencing at what is known as Jones' Bridge across Paint Creek in Twin township in said county, thence with the traveled road southward toward the Pike county line, a distance of four miles.

SECTION 4. That said county commissioners shall appropriate to the construction of said free turnpikes in the first section of this act named, not exceeding the sum of one thousand dollars to the first therein named; not exceeding the sum of two thousand five hundred dollars to the second therein named; not exceeding the sum of two thousand dollars to the third therein named; not exceeding the sum of three thousand dollars to the fourth therein named; and not exceeding the sum of two thousand eight hundred dollars to the fifth therein named, and not exceeding seven hundred dollars to the sixth therein named.

SECTION 5. That said county commissioners shall appropriate to the construction of said free turnpikes in the second section of this act named, not exceeding fifteen hundred dollars to the first therein named in Green township; not exceeding one thousand dollars to the second therein named in Bucks skin township; not exceeding two thousand five hundred dollars to the third therein named in Twin and Huntington townships; not exceeding three thousand five hundred dollars to the fourth therein named in Scioto, Franklin and Huntington townships; not exceeding two thousand dollars to the fifth therein named, in Jefferson township; not exceeding fifteen hundred dollars to the sixth therein named in Bucks skin township; and not exceeding one thousand dollars to the seventh therein named in Bucks skin township.

SECTION 6. That said commissioners shall appropriate to the construction of said free turnpike roads in the third section of this act named not exceeding the sum of four thousand dollars to the first therein

described; not exceeding the sum of five thousand dollars to the second therein described; not exceeding the sum of fifteen hundred dollars to the third therein described, and not exceeding two thousand dollars to the fourth therein described.

SECTION 7. That said county commissioners are hereby authorized to levy a tax sufficient to raise the said several amounts so appropriated to the construction of said several free turnpike roads, respectively, upon the taxable property of said county and to borrow money and issue the bonds of said county in such denominations as they may deem best, bearing a rate of interest not exceeding six per cent. per annum, payable one year after their date, not exceeding in amount the sum so appropriated to construct said several turnpikes, and said bonds shall not be sold for less than their par value nor without their sale being publicly advertised in some newspaper published in said county for at least thirty days prior to their sale, and said tax when collected shall be applied to the payment of said bonds and the interest thereon when due.

SECTION 8. That said commissioners shall have authority to contract with persons interested in having any of said free turnpikes constructed, for such work being done toward the construction of said several free turnpikes by said persons so interested therein, in addition to what said commissioners may agree to do, or may be necessary in their opinion, to make such free turnpikes, a completed road, and said commissioners may alter the route of any of said roads so to be improved, so as to place the same upon better ground, and may proceed for that purpose under any law now in force for the laying out or altering roads and may also acquire lands for that purpose by gift or purchase from the owner thereof.

SECTION 9. That an act passed May 17, 1886, entitled an act to authorize the commissioners of Ross county to construct certain free turnpikes therein named is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 1134].

AN ACT

To enable the trustees of the Paw-Paw Freewill Baptist Church of Marion county to sell property.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That John King, Joshua Cope and Evan Gillespie, the last elected trustees of the Paw-Paw Freewill Baptist Church, in Grand township, Marion county, Ohio, (which congregation is now extinct because of the dispersion and death of its members), be and they are hereby authorized to sell, assign and convey the building and site formerly occupied by said

church, situated in the south part, west half, north-west quarter of section 33, in said township; and transfer the proceeds to the building funds of the Freewill Baptist Church at LaRue, Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[Senate Bill No. 463].

AN ACT

To authorize Lebanon lodge, number fifteen, of the Independent Order of Odd Fellows of Ohio, to issue bonds and mortgage its property.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Lebanon lodge, number fifteen, Independent order of Odd Fellows of Ohio, a corporation duly incorporated December 27, 1882, under the laws of this state, be and they are hereby authorized to issue bonds, not to exceed seven thousand dollars, the said bonds to be made payable as follows: Five hundred dollars on the first day of January, 1890, five hundred dollars on the first day of January, 1891, five hundred dollars on the first day of January, 1892, five hundred dollars on the first day of January, 1893, one thousand dollars on the first day of January, 1894, one thousand dollars on the first day of January, 1895, one thousand dollars on the first day of January, 1896, one thousand dollars on the first day of January, 1897, one thousand dollars on the first day of January, 1898, with interest from date, payable semi-annually, at the rate of six per cent. per annum, and shall be signed by said corporation, by its duly elected and acting trustees. The payment of said bonds and interest to be secured by mortgage on all the real estate of said Lebanon lodge, number fifteen, of the Independent Order of Odd Fellows of Ohio. The bonds hereby authorized to be issued shall not be sold for less than their par value, and the proceeds shall be applied to the improvement of the real property of said Lebanon lodge, number fifteen, of the Independent Order of Odd Fellows of Ohio.

SECTION 2. This act shall take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 16, 1887.

[House Bill No. 1133].

AN ACT

To divide Ross township, Greene county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That Ross township, Greene county, Ohio, be divided into two election precincts, and shall be divided by the following lines: Beginning at a stone on the lands of Jehue McDorman, known as the corner of Madison and Fayette counties, on the line of Greene county, running due west to a point in the Federal turnpike, near the north-west corner of the Townsley land, and in the line of the township.

SECTION 2. All that portion of Ross township on the north side of this dividing line shall be known as the Gladstone precinct, with the voting place at Gladstone; and all south of this line, Bell Center precinct, with voting place at Bell Center, Greene county.

SECTION 3. This act shall take effect and be in force on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 18, 1887.

[House Bill No. 1150].

AN ACT

To authorize the council of the city of East Liverpool, Ohio, to issue bonds for the redemption of the water-works bonds now outstanding.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated city of East Liverpool, Columbiana county, Ohio, be and the same is hereby authorized to issue bonds of the said city not exceeding thirty-six thousand dollars (\$36,000), as herein-after provided, for the sole purpose of raising funds to redeem certain bonds to the amount of thirty-six thousand dollars (\$36,000), issued by said city for the construction of water-works.

SECTION 2. Said bonds shall be made payable at such times, not exceeding thirty years from the respective dates thereof, as said council may determine; they shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually; they shall be in denominations of not less than one hundred dollars and not more than one thousand dollars as said council may direct; they shall not be sold for less than their par value, and shall be issued and sold according to law.

SECTION 3. That for the purpose of paying said bonds and the interest thereon, as the same may become due, or redeeming the same earlier, the

said council is hereby authorized to levy a tax on all taxable property of said city, not exceeding three mills on the dollar, in any one year, in addition to the taxes now authorized by law, which levy shall be placed on the duplicate by the auditor of said county, and collected as other taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 18, 1887.

[House Bill No. 1020].

AN ACT

To authorize the council of the village of Nevada, Wyandot county, Ohio, to issue bonds for the purpose of defraying the expense of sinking wells for natural gas.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Nevada, Wyandot county, Ohio, be and the same is hereby authorized to issue the bonds of said village in any sum, or sums, not exceeding five thousand dollars, for the purpose of providing for the expense of sinking wells for natural gas, and laying necessary mains.

SECTION 2. The principal of said bonds shall be payable at such place, and at such times not exceeding ten years from the date of issue, as the council of said village may by ordinance determine. And authority is hereby granted to said council to levy on all the taxable property in said village an annual tax, not exceeding one and one-half mills on the dollar, to provide for the payment of the principal and interest of the bonds so authorized.

SECTION 3. Said bonds shall be signed by the mayor, and countersigned by the clerk of said village, who shall keep a record of the number, date and amount of each bond; they shall be in such sums as the council may by ordinance determine; they shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and they shall not be sold for less than their par value.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 18, 1887.

[House Bill No. 1036].

AN ACT

To reimburse John Burger, treasurer of Goshen township, Clermont county, Ohio.

WHEREAS, John Burger held the office of treasurer of Goshen township, county of Clermont, state of Ohio; and

WHEREAS, The store-room of said John Burger was entered by burglars and his safe blown open on the 17th day of April, 1884, and township school funds to the amount of four hundred and seventeen dollars and ninety-one cents belonging to said Goshen township, and in said John Burger's care as treasurer of said township, were stolen; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the township trustees of said Goshen township are hereby authorized and required to submit at their regular April election of 1887, after ten days' notice thereof, given by notices posted in at least four conspicuous places in said township, to the qualified electors thereof, the question of reimbursing said John Burger; and on an affirmative vote of a majority of those voting at said election, on said question, the township trustees of said Goshen township shall, at their next regular meeting thereafter, levy a tax on all the taxable property of said township of Goshen, in addition to the taxes now authorized to be levied by law, to reimburse said John Burger for the amount of four hundred and seventeen dollars and ninety-one cents.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 18, 1887.

[House Bill No. 1115.]

AN ACT

To authorize the village of Bowling Green, in Wood county, Ohio, to borrow money and issue its bonds therefor, for the purpose of sinking wells for natural gas, purchasing and laying pipes, and supplying said village and the citizens thereof with natural gas for public and private use and consumption.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village of Bowling Green, in Wood county, Ohio, be and it hereby is authorized to issue its bonds for an amount not exceeding twenty-five thousand dollars for the purpose of sinking wells for natural gas, purchasing and laying pipes, and constructing the necessary buildings, fixtures and machinery to supply such village and the citizens thereof with natural gas for public and private use and consumption.

SECTION 2. Before such bonds or any of them shall be issued, the question of issuing the same shall be submitted to a vote of the qualified

electors of such village at a special election to be held at such time as the council of such village shall appoint. The tickets voted shall have written or printed thereon the words, "Authority to issue bonds—Yes"; or, "Authority to issue bonds—No". If the proposition to issue bonds be approved by a majority of those voting upon the proposition, the village shall have authority to issue such bonds for the purpose named as provided in this act.

SECTION 3. The council of such village, within ninety days after the passage of this act, shall publish notice of the submission of such question in two newspapers published in such village, for at least ten days prior to such election, and such election shall be held in all respects, not otherwise herein provided, as municipal elections are now required by law to be held in such village.

SECTION 4. Such bonds, when so authorized, shall be issued by the council of such village in denominations not less than one hundred or more than five hundred dollars, payable in such times, not exceeding twenty years, as the council shall provide, with interest not exceeding six per cent. per annum, payable semi-annually, principal and interest payable at such place as the council may determine; they shall express upon their face the purpose for which, and the act under which issued, and shall be signed by the mayor, and countersigned and registered by the clerk of the village, and shall not be sold for less than their face value.

SECTION 5. No more of such bonds shall be issued or sold than is necessary for, and required by the actual and necessary cost and expense of sinking such number of wells as may be required for the purpose named, the purchase and laying of pipes and other necessary expenses; they shall be sold from time to time as the works progress, and in such amounts as shall be required and made necessary by the progress, and for the proper completion of the works; and all proceeds and moneys arising from such bonds shall be used exclusively for and applied to the payment of the work, labor, material, and other expenses necessary for the supply of gas for the purpose aforesaid.

SECTION 6. All moneys collected or received by the trustees of gas works of such village, from the village or the citizens thereof, for gas furnished and consumed for public or private use, and all net income, revenue, and profits arising therefrom shall be pledged and applied to the payment of such bonds and interest; and the council of such village is hereby authorized to levy a tax annually, not exceeding three mills on the taxable property within such village, in addition to the tax now by law authorized to be levied, in such amount as will each year be sufficient to pay the principal and interest then falling due upon such bonds, and provide a sinking fund for the gradual extinguishment of such bonds.

SECTION 7. All moneys so applicable to the payment of such bonds, which shall come into the hands of such board of trustees before such bonds, or any of them become due, shall be used to purchase such bonds or invested under the order of the council as a sinking fund to be applied to the payment of such bonds as they become due.

SECTION 8. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 18, 1887.

[House Bill No. 855].

AN ACT

To authorize the commissioners of Hamilton county, Ohio, to issue bonds to pay for so much of the Cincinnati and Harrison turnpike as lies within the limits of the city of Cincinnati, and to levy a tax for the payment of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, without the concurrence of the board of control of said county, be and they are hereby authorized and directed forthwith, upon the receipt of an order from the board of public affairs of the city of Cincinnati, certified by its chairman and clerk, to borrow and pay into the county treasury such sum as may be stated in said order, not exceeding the sum of thirty thousand dollars, and to issue bonds of said Hamilton county therefor in sums of not less than one hundred dollars, nor more than five hundred dollars, each bearing interest not to exceed five per cent. per annum, payable semi-annually; such bonds to be payable at such times as said commissioners may deem proper; said bonds shall be sold, after advertisement of not less than fifteen days, at not less than par, and the amount received from the sale of said bonds shall be deposited in the county treasury, subject to the order of the board of public affairs of said city of Cincinnati in said county; and whenever the said board of public affairs shall order such order to be signed by the chairman and clerk of said board, the auditor of said county shall forthwith draw his warrant upon said fund for the amount and to the person designated in said order. Said moneys realized from the sale of said bonds shall be expended in the purchase of so much of that certain road known as the Cincinnati and Harrison turnpike, as lies within the corporate limits of said city of Cincinnati, or in paying the amount found to be the value of the same, in case the said city shall appropriate, or condemn said turnpike in the manner provided by law, for the appropriation of turnpikes within the limits of municipal corporations. The said piece of road, when so purchased or appropriated, shall become and be the property of the city of Cincinnati, and under its control and management as other streets.

SECTION 2. Said bonds shall be signed by the commissioners of said county and countersigned by the auditor of said county, and shall be with or without coupons, as said county commissioners may decide, and payable to bearer at the county treasury of said county, with interest as aforesaid.

SECTION 3. The commissioners of said county shall annually, at their June session, levy such amount of taxes as will pay the interest on such bonds, and create a sinking fund sufficient to redeem the same at maturity, and if the commissioners refuse or neglect to levy such taxes regularly, as herein provided, the county auditor shall levy such taxes on the taxable property of said county of Hamilton, and place the same upon the tax list; and all taxes levied and collected under the provisions of this act, shall be used for the specific object for which they are levied and no other.

SECTION 4. Any money realized from the sale of such bonds not thus

expended, shall be covered into the sinking fund of said county, for the payment and redemption of said bonds.

SECTION 5. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 18, 1887.

[House Bill No. 875].

AN ACT

To authorize the commissioners of Hamilton county to levy a tax for improving, grading and macadamizing certain roads in Hamilton county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, Ohio, in addition to their other powers of taxation, be and they are hereby authorized to levy and collect on the taxable property of Hamilton county, for the year 1887, a tax of seven-hundredths of a mill on the dollar, of which tax so levied and collected three-hundredths shall be applied to pay for the necessary grading and macadamizing of a road in sections 7, 17 and 18 in White-water township of said county, to be known and designated as the White-water and state line turnpike, beginning at the west end of the suspension bridge across the Whitewater river in section 17 of said township, and running thence in a north-westerly direction through the lands of A. Simonson, J. H. Burkham, A. Brown, Thomas Nixon, T. Kahl and ——— Ziegler, and connecting with and terminating in a county road extending through Dearborn county, Indiana, to Lawrenceburg, being about two miles in length; one one-hundredth part of said tax shall be applied to grading and graveling so much of the old river road leading up the east side of the Great Miami river, as lies between Blue Rock creek and the Dry Ridge road in Colerain township; provided, that if more money is realized from said tax than is necessary to pay for grading and graveling said part of said road, that the balance may be expended in lengthening the culvert on the Blue-Bank road, just north of the Dry Ridge road, and in widening the fill on the same; and the other three-hundredths so levied and collected shall be applied to grading and macadamizing so much of the Banning and old Colerain roads, situated in Colerain township in said county, as lie between the Blue Rock turnpike and the township line between Colerain and Springfield townships, a dis-

tance of about two miles; provided further, that all of said roads shall be graded and improved under the supervision of the county commissioners of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 18, 1887.

[House Bill No. 1114].

AN ACT

To authorize the village of North Baltimore, in Wood county, Ohio, to borrow money and issue its bonds therefor for the purpose of sinking wells for natural gas, purchasing and laying pipes, and supplying the said village and the citizens thereof with natural gas for public and private use and consumption.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village of North Baltimore, in Wood county, Ohio, be and it hereby is authorized to issue its bonds for an amount not exceeding twelve thousand dollars, for the purpose of sinking wells for natural gas, purchasing and laying pipes and constructing the necessary buildings, fixtures and machinery to supply such village and the citizens thereof with natural gas for public and private use and consumption.

SECTION 2. Before such bonds or any of them shall be issued, the question of issuing the same shall be submitted to the qualified voters of such village at a general election, or at a special election to be held at such times as the council of said village shall appoint. The tickets voted shall have written or printed thereon the words, "Authority to issue bonds—Yes;" or, "Authority to issue bonds—No." If the proposition to issue bonds be approved by a majority of those voting upon the proposition, the village shall have authority to issue such bonds for the purpose named, as provided in this act.

SECTION 3. The council of such village, within nine months after the passage of this act, shall publish notice of the submission of such question in a newspaper published in such village, for at least ten days prior to such election, and such election shall be held in all respects, not otherwise herein provided, as municipal elections are now required by law to be held in such village.

SECTION 4. Such bonds, when so authorized, shall be issued by the council of such village in denominations not less than one hundred or more than five hundred dollars, payable in such times, not exceeding twenty years, as the council shall provide, with interest not exceeding six per cent. per annum, payable semi-annually; principal and interest pay-

able at such place as the council may determine; they shall express upon their face the purpose for which, and the act under which issued, and shall be signed by the mayor and countersigned and registered by the clerk of the village, and shall not be sold for less than their face value.

SECTION 5. No more of said bonds shall be issued or sold than is necessary for and required by the actual and necessary cost and expense of sinking such number of wells as may be required for the purpose named, the purchase and laying of pipes and other necessary expenses; they shall be sold from time to time as the work progresses, and in such amounts as shall be required and made necessary by the progress and for the proper completion of the works; and all proceeds and moneys arising from said bonds shall be used exclusively for and applied to the payment of the work, labor, material and other expenses necessary for the supply of gas for the purpose aforesaid.

SECTION 6. All moneys collected or received by said village from the citizens thereof, for gas furnished and consumed for public or private use, and all net income, revenue and profits arising therefrom, shall be pledged and applied to the payment of said bonds and interest, and the council of said village is hereby authorized to levy a tax annually, not exceeding five mills on the taxable property within said village, in addition to the tax now by law authorized to be levied, which shall be used as a sinking fund for the gradual extinguishment of said bonds.

SECTION 7. All moneys so applicable to the payment of said bonds, which shall come into the hands of said village before said bonds become due, or any of them, shall be used to purchase such bonds, or invested under the order of the council as a sinking fund, to be applied to the payment of such bonds as they become due.

SECTION 8. This act to take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 18, 1887.

[Senate Bill No. 486].

AN ACT

To authorize the commissioners of Washington county, Ohio, to straighten and change roads, and pay damages therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever the commissioners of Washington county deem it necessary for the good of public travel to change the width, grade or location of any public highway in said county, they may, upon their own motion, without petition, cause such straightening, change or changes to be made in such road or roads, and for these purposes, shall employ a competent surveyor and proceed to view, re-survey, lay out and correctly mark said

road throughout, with the changes therein made, together with the width thereof, and the surveyor shall make and deliver to the commissioners a correct certified return of the survey of said road, and a plat of the same, together with a pertinent description of any lands required to be used in making any such proposed changes, and the commissioners shall cause the survey and plat of said road to be recorded, and thenceforth such road, as re-surveyed and changed, shall be considered a public highway, and any portion of such original road not included in the re-survey and record so made, shall be considered useless and vacated thereby. The commissioners and owners of any such lands so to be used, may agree upon the amount of compensation and damages to be paid therefor, and when such lands are owned by minors or other persons under guardianship, such agreement may be made with the guardian of such wards, subject to the approval of the probate judge, and in case they are unable so to agree, the commissioners may appropriate the same, and for this purpose they shall make application in writing to the court of common pleas, or to a judge thereof in vacation, or probate court of the county, which application shall contain the name or names of the owner or owners of the respective parcels of land sought to be appropriated, together with a pertinent description and plat of all such lands, and thereupon the same proceedings shall be had, as provided for the appropriation of private property by municipal corporations for far as applicable, and in such cases the jury, in assessing the compensation and damages, shall be governed by the provisions of section 4642, Revised Statutes, and in all such causes, wherein the commissioners, before making such application, have offered to allow and pay such owners compensation and damages, and the amount returned by the jury does not exceed the amount so offered by said commissioners, the cost of such proceedings so far as they relate to such owner and his lands shall be adjudged against him. The commissioners may cause to be paid from the county treasury all compensation and damages to landowners and costs of re-surveys and other proceedings provided for in this section out of the fund created by the levy under section 4919.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 19, 1887.

[House Bill No. 1108].

AN ACT

To amend section one of an act entitled "an act to authorize the city of Steubenville, Jefferson county, Ohio, to issue bonds for the purpose of constructing sewers in said city," passed May 11, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of an act entitled "an act to authorize the city of Steubenville, Jefferson county, Ohio, to issue bonds for the purpose of constructing sewers in said city," be and said section is hereby amended so as to read as follows:

SEC. 1. The city of Steubenville, Jefferson county, Ohio, is hereby authorized to issue bonds upon its corporate credit, in such amounts as its council by ordinance may determine, not to exceed fifty thousand (\$50,000) dollars, for the purpose of constructing sewers in said city; said bonds to be sold according to law, and shall be issued in such denominations and redeemable within twenty years, at such times as said council shall make them payable, and shall bear a rate of interest not to exceed six per centum per annum, payable semi-annually.

SECTION 2. That said original section one of an act entitled "an act to authorize the city of Steubenville, Jefferson county, Ohio, to issue bonds for the purpose of constructing sewers in said city" be and said original section one is hereby repealed.

SECTION 3. That this act be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 19, 1887.

[House Bill No. 1023].

AN ACT

To authorize the village of Quincy, in Logan county, Ohio, to borrow money and issue bonds therefor, for the purpose of sinking wells for natural gas, and purchasing and laying pipes, and supplying said village and the citizens thereof with natural gas for public and private use and consumption.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village of Quincy, in Logan county, Ohio, be and it hereby is authorized to issue its bonds, for an amount not exceeding three thousand dollars, for the purpose of sinking wells for natural gas and oil, purchasing and laying pipes, and constructing the necessary buildings, fixtures and machinery, to supply such village and the citizens thereof with natural gas and oil, for public and private use and consumption.

SECTION 2. Before such bonds or any part of them shall be issued, the

question of issuing the same shall be submitted to a vote of the qualified electors of such village at a special election to be held at such time as the council of such village shall appoint. The tickets voted shall have written or printed thereon [the] words, "Authority to issue bonds—Yes;" or "Authority to issue bonds—No;" if the proposition to issue bonds be approved by a majority of those voting upon the proposition, the village shall have authority to issue such bonds for the purpose named as provided in this act.

SECTION 3. The council of such village, within ninety days after the passage of this act, shall publish notice of the submission of such question in one newspaper of general circulation in said village and by posting at least five written or printed notices of the time and place of such election at least ten days prior to such election, and such election shall be held in all respects, not otherwise herein provided as municipal elections are now required by law to be held in such village.

SECTION 4. Such bonds when so authorized shall be issued by the council of such village in denominations not less than one hundred or more than five hundred dollars, payable in such times not exceeding twenty years, as the council shall provide, with interest not exceeding six per cent. per annum, payable semi-annually, principal and interest payable at such place as the council may determine. They shall express upon their face the purpose for which, and the act under which issued, and shall be signed by the mayor, and countersigned and registered by the clerk of the village, and shall not be sold for less than their face value.

SECTION 5. No more of such bonds shall be issued or sold than is necessary for and required by the actual cost and expense of sinking such wells, the purchase and laying of pipes, and other necessary expenses; they shall be sold from time [to time] as the work progresses, and in such amounts as shall be required and made necessary by the progress and for the proper completion of the works; and all proceeds and moneys arising from such bonds shall be used exclusively for and applied to the payment of the work, labor, material and other expenses necessary for the supply of gas and oil, for the purposes aforesaid.

SECTION 6. All moneys collected or received by the trustees of gas works of said village or other persons authorized by said village to collect and receive the same, from the village or citizens thereof, for gas or oil furnished and used for public or private use, and all net income, revenue and profits arising therefrom shall be pledged and applied to the payment of such bonds and interest, and the council of such village is hereby authorized to levy a tax annually, not exceeding three mills on the dollar, on the taxable property within said village, in addition to the tax now by law authorized to be levied, in such amount as will each year be sufficient to pay the principal and interest then falling due upon such bonds, and provide a sinking fund for the gradual extinguishment of such bonds.

SECTION 7. All moneys so applicable to the payment of such bonds which shall come into the hands of such board of trustees or other person authorized to receive the same, before such bonds or any of them become due, shall be used to purchase such bonds, or invested under the

order of the council as a sinking fund to be applied to the payment of such bonds as they may become due.

SECTION 8. This act shall take effect and be in force on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 19, 1887.

[House Bill No. 1165].

AN ACT

To amend an act to divide the northeastern precinct of Colerain township, Hamilton county, into three separate voting precincts, passed March 12, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act to divide [the] north-eastern precinct of Colerain township, Hamilton county, into three separate voting precincts be amended so as to read as follows: The northern or Dunlap precinct shall embrace all the territory included in sections six, twelve, eighteen, twenty-four, twenty-nine, thirty and thirty-six, all in range one, town two, and sections one, seven, thirteen, nineteen and twenty-five in range two, town one, with voting place at Dunlap. The south-eastern or Groesbeck precinct shall embrace all the territory included in sections one, two, three, seven, eight and thirteen and the east half of fourteen, and the south halves of nine and fifteen, all in range one, town two, with voting place at Groesbeck.

The central precinct shall embrace all the territory included in sections four, five, ten, eleven, sixteen, seventeen, twenty-two, twenty-three, and twenty-eight and the north halves of sections nine and fifteen, all in range one, town two.

SECTION 2. The act passed March 12, 1887, to which this is amendatory, is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 19, 1887.

[House Bill No. 1128].

AN ACT

To authorize the village of Findlay, Hancock county, Ohio, to issue bonds for the purpose of providing said city with water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the village of Findlay, Hancock county, Ohio, be and said village council is hereby authorized to issue the bonds of said village in any sum not exceeding one hundred thousand dollars, in denomination not exceeding one thousand dollars, bearing interest at a rate not exceeding six per centum per annum, payable annually, for the purpose of providing said village with water-works.

SECTION 2. Said bonds shall be signed by the mayor of the village, and countersigned by the clerk of said village. They shall not be sold for less than their par value; the principal shall be payable at such times as the council of said village may determine by ordinance, within a period not exceeding twenty years; and said village council is hereby authorized to levy a tax upon all taxable property of said village to pay said bonds, not to exceed four (4) mills in any one year.

SECTION 3. The funds realized from the sale of said bonds shall be used by the council of said village for the purpose of constructing and paying for water-works for said village, which water-works, when completed, shall be used, operated, and controlled in such manner as may be prescribed by law and the ordinances of said village.

SECTION 4. Before said council shall issue said bonds, the proposition shall be submitted to a vote of the qualified electors of said village at any general or special election called for that purpose. The council before submitting said proposition, shall declare by resolution the amount of bonds to be issued and within what time the same shall be redeemed or paid; said resolution shall be published in all newspapers published within said village for at least two weeks. The election shall be held at the usual places of holding elections in said village, and all persons favoring said proposition shall have written or printed on their ballots, "Issue water-works bonds—Yes," and those opposed to said proposition shall have written or printed on their ballots, "Issue water-works bonds—No," and should a majority of the electors voting upon said proposition vote "yes," then said council shall be authorized to issue said bonds as provided in this act.

SECTION 5. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 19, 1887.

[House Bill No. 1168].

AN ACT

To authorize the city of Columbus to levy a tax and issue bonds for the purpose of extending a street and constructing a bridge over certain railroad tracks in such city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Columbus is hereby authorized and empowered, for the purpose herein set forth, to issue bonds upon the terms and conditions herein named, not to exceed in amount fifty thousand dollars; such bonds shall be issued to enable such city council to extend at uniform width, the first or "Front street," as located in the original plat of such city, to and across the tracks and right of way of certain railroad companies, and to and across certain lots of land owned by such city, and to construct a bridge, and suitable approaches thereto, across the tracks and rights of way of certain railroad companies, and to pay for any lands and tenements which it may be found necessary to appropriate for such purpose; such bonds shall be of such denomination as the city council may deem best, in any sum not in excess of the amount herein named, and for any length of time not exceeding thirty years, and at a rate of interest not exceeding six per cent. per annum, payable annually or semi-annually, as such city council may determine; such bonds shall not be sold at less than their par value, and the proceeds thereby shall be applied to the purpose herein named.

SECTION 2. The city council of such city is hereby authorized and directed to levy an annual tax, in addition to all other levies, on all the taxable real and personal property on the tax duplicate of such city, sufficient to provide for the payment of the interest on such bonds, and to create a sufficient fund for the redemption of the principal of such bonds at maturity.

SECTION 3. This act shall take effect from its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 19, 1887.

[House Bill No. 906].

AN ACT

To authorize the commissioners of Ross county to build a bridge.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Ross county be and they are hereby authorized to locate and build a free bridge across the Scioto river at a point in Ross county, between the mouth of Blackwater Creek and the north county line of said county, on the east side of said river, and the commissioners

of said county are hereby authorized to levy a tax upon the taxable property of said county, sufficient to build the same, in addition to other levies now authorized by law, and to borrow money and issue the bonds of said county in anticipation of said tax to be repaid by said tax when collected, but said bonds shall not be sold for less than their par value, and shall not bear a greater rate of interest than six per cent. per annum.

SECTION 2. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1141].

AN ACT

To authorize the trustees of Fairfield and Union townships, in the county of Butler, Ohio, to levy a tax to improve a certain road therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio* That the trustees of Fairfield and Union townships, in the county of Butler, be and they are hereby authorized to levy a tax of one mill upon each dollar of valuation of real and personal property belonging to the following named persons, in their respective townships, to-wit: F. W. Schoeman, John Dourough, Squire Nixon, C. Blatt, Dourough and Hunter, John Evans, James Handcock, David Crawford, James Tulley, Asa Schuler, 38 acres of John Tulley, in section 36; Thomas Tulley, (except 214 acres in section 25); John Bobmyer, sr., (except 96 acres in section 30); James Flemming, (except 168 acres in section 21); Seman Pfluin, W. S. Gilmore, Susan Gilmore, Harriet Longfellow, Frank Bobmyer, Isaac K. Morris, Conrad Windish, land in sections 17 and 18; Frank Huffman, Jonathan Combs, Henry Schlosser, in section 17; J. W. Morris, Charles Muchmore, F. R. Vin-nedge, Fairfield ice pond, belonging to Cincinnati ice company; Niagara ice company, Samuel Blair and W. V. Clark in the township of Fairfield, in said county; and W. V. Clark, the heirs of Anthony Hiltz, heirs of Loyd Brown, Lake Erie ice company, J. W. Morris, Frank Smith, Hamilton Gerard, Simeon Rosencrans, 120 acres, August Hutzelman and William Graham, 50 acres, in the township of Union, for the purpose of improving and repairing the road known as the Hamilton and Tylersville turnpike road, in said townships; said tax to be worked out under the direction of a superintendent appointed by said trustees.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1158].

AN ACT

To provide for transferring funds in the city of Chillicothe.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Chillicothe be and it is hereby authorized at any time after the first day of May, A. D. 1887, to transfer to the street cleaning and sanitary fund of said city from the bridge fund of said city, the sum of three thousand dollars, and from the general fund of said city the sum of one thousand dollars.

SECTION 2. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 21, 1887.

[House Bill No. 1123].

AN ACT

For the relief of George Winn, treasurer, and his sureties, of Morgan township, [ship,] Butler county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees and school board of Morgan township, Butler county, are hereby authorized to release George Winn and his sureties on their official bond as treasurer of said township of Morgan, from the payment of the following sum of money, to-wit: Eight hundred and sixty-two and 50-100 dollars (\$862.50); provided, however, that the said George Winn, as treasurer, shall, without recourse on him, fully transfer any and all certificates of deposit or other evidence of indebtedness which he, as said treasurer, holds against the late banking company of Shepard and Curtis, of Hamilton, Butler county, Ohio, to his successor in office, to be held and used by him and his successors in office for the benefit of said Morgan township; provided, that his successors shall only be held liable to the township trustees and school board for the amount of dividends received from the receiver of said Shepard and Curtis on account of the same.

SECTION 2. This act shall take effect and be in force on and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 21, 1887.

[House Bill No. 964].

AN ACT

To authorize the council of the village of Logan, Hocking county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Logan, Hocking county, Ohio, be and is hereby authorized to permanently transfer from the "general expense fund" to the "street improvement fund" of said village, the sum of fifteen hundred dollars (\$1,500).

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1164].

AN ACT

To authorize the board of education of Newmarket township, Highland county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Newmarket township, Highland county, Ohio, be and they are hereby authorized to transfer to the common school fund of said township, certain money, not to exceed five hundred dollars (\$500) that was levied upon the tax-payers for the purpose of a graded school in said township in the year 1881.

SECTION 2. This act shall take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 876].

AN ACT

To authorize the trustees of Falls township, Hocking county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Falls township, Hocking county, Ohio, are hereby authorized to transfer three hundred and eighty-six dollars and forty-two cents (\$386.42) from the "veteran volunteer bounty fund" to the "general township fund" of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1112].

AN ACT

To authorize the city of Chillicothe to bore for natural gas.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Chillicothe be and it is hereby authorized to expend out of the general fund of said city, an amount not exceeding the sum of six thousand dollars, in boring wells for natural gas at such points within Ross county, Ohio, as said council may determine, but no such expenditure shall be made until the question of such expenditure shall be submitted to the legal voters of said city at some regular election, and if a majority of the votes cast upon said question shall be in favor thereof, said city council shall determine the manner and at what election or elections the question of such expenditure shall be submitted, and the fact of said proposition being defeated at any election, shall not preclude its being again submitted at a subsequent election.

SECTION 2. If there shall not be sufficient money in the general fund of said city, the council shall have authority to borrow a sum not exceeding the said sum of six thousand dollars for said fund, until such time as there shall be a sufficient amount in said fund to repay such loan.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 372].

AN ACT

For the relief of George Strecker, treasurer of Harmar school district, Harmar, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the school board of Harmar school district, Washington county, Ohio, is hereby authorized to release George Strecker, and his sureties on their official bond, as treasurer of said Harmar school district, from the payment of the following sum of money, to-wit: twelve hundred and ninety-three dollars and fifty-one cents (\$1,293.51). Provided, however, that the said George Strecker, as such treasurer, shall, without recourse on himself, fully transfer any and all certificates of deposit or other evidences of indebtedness which he as said treasurer holds against the late bank of I. R. Waters, of Marietta, Ohio, to his successor in office, to be held and used by him and his successors for the benefit of said Harmar school district. Provided, that his successor shall only be held liable to Harmar school board for the amount of dividends received from the assignees of said bank on account of the same; provided that, after due notice of at least ten days has been posted in as many as five public places in said district, there shall be submitted to the qualified voters of said Harmar school district at some regular or special election, the question, "shall George Strecker, treasurer of Harmar school district, be relieved." Those of the qualified electors who favor the relief of George Strecker shall have on their ballots the words, "For the relief of George Strecker—Yes;" [and those opposed to such relief shall have on their ballots the words] "For the relief of George Strecker—No," and if a majority of the ballots cast at said election shall have written or printed thereon the words, "For the relief of George Strecker—Yes," then this act shall be in force but not otherwise.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 483].

AN ACT

To authorize and direct the governor of Ohio to convey by deed to Henry Robertson a tract of land in section 16, town 10, range 16, Vinton county.

WHEREAS, Henry Robertson, the assignee of the purchaser of the following tract of land, to-wit: The east half of the northeast quarter of section No. 16, township No. 10, of range No. 16, Vinton county, Ohio, and his assignees under certificate of purchase have already paid four

hundred and fifty and 81-100 dollars, said sum being more than said land is worth; and

WHEREAS, A majority of the tax-payers of said township have petitioned the general assembly of the state of Ohio, praying that the governor be authorized to convey said premises to said Henry Robertson; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the governor of Ohio be and he is hereby authorized and directed, on demand, to execute and deliver or convey to said Robertson a deed of conveyance in fee simple for the premises above described.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1170].

AN ACT

To authorize the city council of Ironton, Lawrence county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of Ironton be and it is hereby authorized to transfer fifteen hundred dollars (\$1,500) from the city police fund to the general expense fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1174].

AN ACT

To provide means and enable the commissioners of Van Wert county, Ohio, to carry out the provisions of an act of the general assembly of the state of Ohio, in relation to the relief of indigent soldiers, &c. (Ohio Laws, vol. 83, page 232.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Van Wert county, Ohio, be and are hereby authorized and empowered to pay the sum of one thousand dollars out of any of the funds of said county, not otherwise appropriated, and should there be no such funds available, or should it not be deemed expedient by said commissioners, then and in that case said commissioners be and are hereby authorized to issue bonds of the county in the sum and to the amount of one thousand dollars, bearing at a rate not greater than seven per cent. interest, and payable in one year, and for the purpose of replacing the same to the credit of the fund from which the same was taken, or pay the bonds issued in compliance hereof. The commissioners of said county be and are hereby authorized to place a special levy of not exceeding one mill upon each dollar of the taxable property of said county, to be collected as the general taxes are upon the duplicate of said county.

SECTION 2. This act to take effect and be in full force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 21, 1887.

[House Bill No. 1161].

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Clermont county, Ohio, are hereby authorized and empowered to construct the following free turnpike road: Beginning at a point in the Nine Mile and Mt. Carmel free turnpike at the junction of the county road leading to Centerville and near the eastern terminus of the Cluff turnpike; thence on and along the said county road, as nearly as practicable to Centerville, thence through the lands of Stephen Judd, George Fishbach, the heirs of D. M. Deal, deceased, W. W. Hulich, deceased, Martha M. Apple, W. W. Perkins, and thence along the county road, as near thereto as practicable, to obtain a good grade, to intersect the Union turnpike at the most practicable point.

SECTION 2. That said county commissioners may, if they deem it best, issue bonds for the construction of said road, provided said bonds shall

not bear interest at a higher rate than six per cent. per annum, payable annually, and shall not be sold for less than their then par value; provided, further, that said bonds may extend to such time as they can be paid at a levy of three-fourths of a mill on the dollar levy on the tax duplicate of said county.

SECTION 3. That said commissioners shall, before proceeding to construct said road or any part of the same, require and secure from those interested in said improvement a subscription or donation, equal in amount to twenty per centum of the cost of said improvement, to aid in the construction of the same.

SECTION 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding three-fourths of a mill on the dollar, annually, on all the taxable property of the county.

SECTION 5. In constructing said road, said commissioners may locate the same upon the whole or any part of any county or turnpike road heretofore laid out and established, and to widen, alter, change or vacate the same or any part thereof, and shall have the power to lay out, locate, and survey such turnpike through any improved or unimproved lands, and are hereby authorized, for that purpose, to condemn and appropriate the necessary land therefor, in pursuance of the laws of Ohio for the appropriation of private property for public purposes and the payment of compensation therefor; or said commissioners may purchase the same at private sale, at such price as they may deem reasonable and just.

SECTION 6. That a majority of said board of commissioners shall, at any regular session, be necessary to agree upon specifications and order said improvement.

SECTION 7. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1027].

AN ACT

To divide Canaan township, Morrow county, Ohio, into two voting precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Canaan township, Morrow county, Ohio, be divided into two election precincts by a line beginning at the south-east corner of section number fifteen in said township, thence west on the south line of sections number fifteen (15) and sixteen (16) to the quarter post on the south side of said section (16), thence north to the center of said section sixteen (16), thence

west through the middle of sections sixteen (16), seventeen (17) and eighteen (18) to the west line of said township.

SECTION 2. All of that part of said township north of the above described dividing line, shall be one voting precinct, called precinct number one, with the voting place at the village of Climax, and all of said township south of said line shall be one voting precinct, called precinct number two, with the voting place at the village of Denmark.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1169].

AN ACT

To divide Sharon township, Noble county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Sharon township, in Noble county, Ohio, be divided into two election precincts, and shall be divided by the following lines: Commencing at the north-west corner of Olive township, Noble county, thence west along the line between Noble and Sharon townships two and one-half miles ($2\frac{1}{2}$) to the north-west corner of the north-west quarter of section one; thence south one and one-fourth miles ($1\frac{1}{4}$) to the south-west corner of the north-west quarter of the north-west quarter of section twelve (12), thence east three-fourths miles ($\frac{3}{4}$) to the south-west corner of the north-east quarter of the north-east quarter of said section twelve, thence south to the south-west corner of the south-east quarter of the south-east quarter of said section twelve; thence east one and three-fourths miles ($1\frac{3}{4}$) to the Olive township line; thence north along said line to the place of beginning.

SECTION 2. All territory north-east of this dividing line to be known as the Sharon precinct, and all south-west of this line to be known as the Forest Grove precinct, of said Sharon township.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1156].

AN ACT

To authorize the council of the village of Ashville, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Ashville, Pickaway county, Ohio, be and is hereby authorized to transfer the sum of thirteen hundred dollars from the police fund to the general revenue fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1177].

AN ACT

To authorize the council of the village of New Philadelphia, Tuscarawas county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of New Philadelphia, Tuscarawas county, Ohio, be and the same is hereby authorized and empowered to transfer twelve hundred dollars (\$1,200) from the village police fund to the general fund of said village.

SECTION 2. This act to take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1166].

AN ACT

To authorize the trustees of Pleasant township, Logan county, to purchase grounds for a cemetery for said township, improve same, and levy additional tax to pay for same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the trustees of Pleasant township, Logan county, Ohio, are hereby authorized and required to levy a tax on all taxable property of said township, not to exceed one thousand dollars, for purchasing land in said township and to make the same a township cemetery.

SECTION 2. The tax levied by said trustees under the authority of this act shall be returned to the auditor of said county and placed on the duplicate of said township, and collected as other taxes, and when so collected shall be paid to the treasurer of said township, and by him disbursed for the purpose aforesaid, on the order of said trustees.

SECTION 3. Before said tax shall be levied, the trustees of said township shall submit the question of such levy to the qualified electors of said township of Pleasant, at a general election to be held in said township, or at a special election called for that purpose, at the usual place of holding elections, of which proper notice shall be given in either case by publication in two newspapers printed and of general circulation in said township, for two consecutive weeks prior to such election; those electors who favor the levying of such tax shall have written or printed on their ballots the words, "Levying tax—yes"; and those who are opposed to such levy shall have written or printed on their ballots the words, "Levying tax—no"; and if a majority of the votes cast at said election are in favor of said levy, the trustees of said township shall be authorized to make such levy for the purpose aforesaid; provided, that no part of said funds shall be used to pay any debt of said township heretofore contracted.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 344].

AN ACT

To authorize the council of the incorporated village of Linwood, in Hamilton county, Ohio, to improve and repair the sidewalks and pavements of said village, and to provide for the payment of the same by general levy.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the incorporated village of Linwood, Hamilton county, Ohio, is hereby empowered to improve and repair all or any of the pavements or sidewalks and curbing thereto, within the corporate limits of said village, as now are or hereafter may be made and constructed, with

such material and in such manner as said council shall direct, for the term of ten years.

SECTION 2. The cost of any or all such improvements or repairs as shall be hereafter made on any or all such pavements or sidewalks and curbings thereto, under the provisions of section one, shall be provided for by the council of said village, at the same time the regular annual levy for taxation for corporation purposes in said village is made. Said council shall have the power to levy, not to exceed one mill for this special purpose, for the period of said ten years; provided, that a majority of the voters of said incorporated village shall approve the same at the election to be held in April, 1887, which election may be held in such mode and manner as the village council may hereafter determine; such voters as are in favor of improving or repairing sidewalks and curbings as contemplated by this act shall have written or printed on their ballots, "Sidewalk improvements—yes"; and such voters as are opposed to such contemplated improvements shall have written or printed on their ballots, "Sidewalk improvements—no."

SECTION 3. This act shall take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 467].

AN ACT

To authorize and direct the governor of the state of Ohio to convey by deed to Solomon Goff a tract of land in section 16, township 10, range 16, Vinton county, Ohio.

WHEREAS, Solomon Goff, the purchaser of the following tract of land, to-wit: the east half of the southeast quarter of section sixteen (16), township No. ten (10) of range sixteen (16), of Vinton county, Ohio, and has, under a certificate of purchase, already paid the sum of four hundred and twenty-four dollars and thirty cents, more than said land is worth.

WHEREAS, a majority of the freeholders of said petition [township?] have petitioned the general assembly of the state of Ohio, praying that the governor be authorized to convey said premises to said Solomon Goff; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the governor of Ohio be and he is hereby authorized and directed, on demand, to execute and deliver to said Solomon Goff a deed of conveyance in fee simple for the premises above described.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1159].

AN ACT

To authorize the city council of the city of Columbus to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Columbus is hereby authorized and empowered to transfer the sum of twelve hundred dollars from the general expense fund to the library fund.

SECTION 2. This act shall take effect from its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1176].

AN ACT

To authorize the commissioners of Brown county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Brown county, Ohio, be and they are hereby authorized and directed to construct a free turnpike road, beginning in the center of the Russellville and Georgetown free turnpike road where Home street intersects the same, thence south with "Home" street, passing the children's home, to the center of the Ripley and Georgetown free turnpike road, in all one-half mile.

SECTION 2. That for the purpose of paying for the construction of said free turnpike, the said commissioners of Brown county, Ohio, are hereby authorized and empowered to appropriate a sufficient sum out of the county pike fund, and may levy a general tax to reimburse said fund.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 472].

AN ACT

To authorize the village council of Plymouth, in Huron and Richland counties, Ohio, to issue bonds to develop natural gas.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Plymouth, in Huron and Richland counties, Ohio, are hereby authorized to issue the bonds of said village in an amount not to exceed three thousand dollars, bearing interest at a rate not to exceed six per cent. per annum, payable annually, for the purpose of developing natural gas in said village. Providing, that said bonds shall not be issued nor said tax levied or assessed until the question shall have been first submitted to the voters of said village at a general or special election, of which at least fifteen days' notice shall be first given by publication, as the council of said village may direct. At said election all those who are in favor of issuing said bonds and levying said tax shall have written or printed on their ballots the words, "Issue of bonds—Yes" and all who are opposed to the issuing of said bonds and the levying of said tax shall have written or printed on their ballots the words, "Issue of bonds—No." No bonds shall be issued or tax levied under this act unless a majority of the votes cast at said election shall be in favor of such issue and levy.

SECTION 2. Said bonds shall be signed by the mayor, and countersigned by the clerk of said village, and shall not be sold for less than their par value; said bonds shall be issued in such amounts and at such time as the council of said village may deem necessary; the principal of each bond shall be payable at such time as the council of said village shall determine by ordinance, but within a period not exceeding eight years.

SECTION 3. For the purpose of raising the money to pay said bonds and the interest thereof, the council of said village is hereby authorized to levy a tax sufficient to meet the same, in addition to the taxes now authorized by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 495].

AN ACT

To authorize the village council of New Straitsville, Perry county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of New Straitsville, Perry county, be and

is hereby authorized and empowered to transfer the sum of four hundred dollars from the police fund to the street fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1039].

AN ACT

To authorize the county commissioners of Hamilton [county], Ohio, to levy a tax for grading, macadamizing and improving the county road in Whitewater and Harrison townships, known and designated as the Harrison and Elizabethtown road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, in addition to their other powers of taxation, be and they are hereby authorized and required to assess and collect upon the grand levy of the taxable property of said county, a tax not exceeding one-twentieth (1-20) of a mill on the dollar, which shall be assessed in the year eighteen hundred and eighty-seven (1887), to be applied to the grading, macadamizing and improving of a road in Whitewater and Harrison townships, extending from the state line south-easterly to the Elizabethtown suspension bridge, and known as the Harrison and Elizabethtown road. Provided, further, that said road shall be established, graded and improved over said Harrison and Elizabethtown road, as aforesaid, under the supervision of said board of county commissioners.

SECTION 2. This act shall take [effect] from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 405].

AN ACT

For the relief of Thomas D. Gleason.

WHEREAS, Said Thomas D. Gleason did, on the 10th day of April, A. D. 1875, at a sale of school lands in Lucas county, Ohio, purchase the following school lands, to-wit: Lot number six (6) and lot number seven (7), together containing one hundred and fifty acres and seventy-three one-hundredths of an acre of land situated in section number sixteen, in

town one, in the United States reservation of twelve miles square, at the foot of the rapids of the Miami of Lake Erie, for the sum of seven thousand and nine hundred and thirty-two dollars and five cents (\$7,932.05), and has paid in cash thereon the sum of two thousand six hundred and forty-four dollars (\$2,644); and

WHEREAS, He has made upon said property lasting and valuable improvements to the amount of four thousand dollars, and is now unable to pay the balance due of said purchase money; therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That a further period of five years from the passage of this act be and the same is hereby given to said Thomas D. Gleason, the purchaser of lot number six (6) and lot number seven (7) in section sixteen, in town number one (1), in the United States reserve at the foot of the rapids of the Miami of Lake Erie, in the township of Waterville, in Lucas county, Ohio, for the payment of the balance of principal and interest now due from said Gleason on account of the purchase money for said land; provided, that he pay annually hereafter the interest upon such sum now due, and all taxes upon said lands as they shall become due and payable.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 448].

AN ACT

To authorize the council of the village of Van Wert to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Van Wert, Van Wert county, Ohio, be and is hereby authorized to transfer the sum of seven hundred dollars (\$700), from the prison fund of said village to the fire department fund; and four hundred and forty-four dollars and sixty-seven cents (\$444.67), and four hundred dollars (\$400) from the marshal and police fund to the street light fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1127].

AN ACT

Supplementary to an act "to further provide for building a new court house in Franklin county," passed January 31, 1885, (82 v. O. L. p. 275).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the amount mentioned in the first proviso of section three of said act be enlarged to fifty thousand dollars, to be expended in the same manner, for the same purpose, and subject to all the conditions and penalties of said act.

SECTION 2. This act shall take effect from its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1113].

AN ACT

To authorize the commissioners of Sandusky county, Ohio, to levy an additional tax to pay for lands purchased by said county commissioners for the use of the fair grounds of Sandusky county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Sandusky county, Ohio, be and they are hereby authorized and empowered to levy upon the taxable property of said Sandusky county two-tenths of one mill on the dollar, in addition to all levies now authorized by law, to pay for lands purchased by the county commissioners for the use of the fair grounds of said Sandusky county, and for no other purpose.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1024].

AN ACT

To authorize the commissioners of Richland county, Ohio, to levy an additional tax for the improvement of the county road known as the intermediate penitentiary road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Richland county, Ohio, be and they are hereby authorized to levy a tax upon all the taxable property of said county of two-tenths of one mill, for the purpose of the improvement of a county road known as the intermediate penitentiary road, for each of the years 1887 and 1888; said levies to be in addition to what said commissioners are now, by law, authorized to levy.

SECTION 2. This act shall [take] effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 43].

AN ACT

To provide for the re-location of a part of the county line between Van Wert and Paulding counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Van Wert and Paulding counties are hereby authorized to re-locate the county line between sections numbers thirty-six (36) and thirty-five (35), town one (1), north range two (2), east, Paulding county; and sections numbers one (1) and two (2), town one (1), south range two (2), east, Van Wert county.

SECTION 2. The proceedings and fees in such matter shall be the same as provided for in sections 804, 805, 806, 807, 808, 809 and 810 of the Revised Statutes.

SECTION 3. This act shall be in force on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1171].

AN ACT

To amend sections 3, 4, 5, 6, 7 and 8, of an act entitled "an act to incorporate the Presbyterian church and congregation of Long's Run, in the county of Columbiana" passed January 18, 1834, (Ohio Laws, vol. 33, page 31.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 3, 4, 5, 6, 7 and 8, of an act to incorporate the Presbyterian church and congregation of Long's Run, be so amended as to read as follows :

SEC. 3. That on the second Monday of January, one thousand eight hundred and eighty-eight, and on the second Monday in January in each and every year thereafter, between the hours of one and three o'clock p. m., there shall be elected by said congregation three trustees, one secretary, one treasurer ; the secretary and treasurer to serve one year or until their successors are elected and accept ; one trustee to serve one year, one to serve two years, and one to serve three years, or until their successors are elected and accept ; in case of vacancy occurring from any cause in the board of trustees or offices of secretary or treasurer the board of trustees shall, at their first regular meeting, appoint one to fill such vacancy until the next congregational meeting.

SEC. 4. That all elections of the corporation shall be by ballot, and the person or persons having a majority of the votes shall be considered duly elected. All members, together with the regular supporters of the different Christian enterprises of the church, of the age of eighteen years and over, shall have equal suffrage, and all matters of the congregation shall be determined by a majority of those entitled to vote, present and voting at any meeting of the congregation duly assembled.

SEC. 5. The trustees, or any two of them, shall have power to call a meeting of the congregation, either for the election of officers or for the transaction of any other business of the society, by giving or causing to be given to the society immediately after public worship, ten days' previous notice of said meeting, or by causing notification thereof to be put in three or more public places within the limits of the congregation at least fifteen days before the meeting.

SEC. 6. That any meeting of the congregation duly assembled may adopt and establish such by-laws and ordinances as may be deemed proper and necessary for the good government of said corporation ; provided, that such by-laws and ordinances shall be compatible with the constitution and laws of the United States, and of this state.

SEC. 7. That all process against the corporation shall be by summons, which shall be served by leaving an attested copy with one or more of the trustees, and such service shall be deemed sufficient in law to bind the congregation.

SEC. 8. That any future legislature shall have power to modify or repeal this act ; provided, such modification or repeal shall not affect the title to any real or personal estate acquired or conveyed under its provisions.

SECTION 2. That sections 3, 4, 5, 6, 7, 8 of said original act passed January 18, 1834, be and the same are hereby repealed.

SECTION 3. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed March 21, 1887.

[House Bill No. 1098].

AN ACT

To provide for the erection of a memorial armory building in the county of Franklin, and to create a fund to pay for and maintain the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Franklin county are authorized and directed to purchase a site for and to erect, complete, furnish and maintain a memorial armory building, commemorative of the services of the soldiers and sailors of the Union army and navy in the war of the rebellion, for the use of the resident Ohio National Guard, local posts of the grand army of the republic, and other organizations composed of the surviving soldiers and sailors of the war of the rebellion in said county, and, other public assemblies.

SECTION 2. The land upon which said building is to be erected shall be selected by the county commissioners, subject to the approval of a board consisting of said county commissioners, the county clerk, county recorder and two persons appointed by the judge of the court of common pleas in said county.

SECTION 3. The county commissioners with the approval of said board named in the second section of this act, or a majority thereof, shall have power to appoint a clerk, an architect, a superintendent and other necessary employes, fix their compensation and adopt a suitable place for said memorial armory, and all contracts for erecting, completing and furnishing said building shall be made only with the approval of the said board or a majority thereof, and under and in accordance with the provisions of sections 794, 795, 797, 798, 800, 801, 802 and 803 of the Revised Statutes, so far as the same are applicable, and the plans for said memorial armory shall provide for a drill room, arranged so as to serve also as an assembly hall for conventions, and other rooms requisite for the accommodation of the national guard, and rooms in which to preserve relics and mementoes of the war, and for the use of the grand army posts, and other organizations of ex-soldiers and sailors, and may contain additional rooms to be rented for the purpose of providing revenue to meet the expense of maintaining said building.

SECTION 4. When it becomes necessary, in the opinion of said commissioners and said board, in the prosecution of the work, to make alterations or modifications in the contract, such alteration or modifications shall only be made by order of the commissioners and with the approval of said board, and such order shall be of no effect until the price to be

paid for the work or materials under such altered or modified contract has been agreed upon in writing and signed by the contractor and the commissioners, and no contractor shall be allowed or recover anything for extra work or materials caused by any alteration or modification, unless an order is made or agreement signed as aforesaid, nor shall he in any case be allowed to recover more for such work or materials than said agreed price.

SECTION 5. To provide a fund to pay the cost and expenses of the purchase of land, erection, completion and furnishing said memorial armory building under this act, and to be called "The Franklin Memorial Armory Construction Fund," the commissioners of said county shall, from time to time, and as often as said board or a majority thereof shall by resolution declare the necessity therefor, issue the bonds of said county to the amount not to exceed in the aggregate one hundred thousand dollars (\$100,000). Said bonds shall be issued and bear interest at the rate of four per centum per annum in the words and manner prescribed by sections 871 [and] 872 of the Revised Statutes, and the act passed March 22, 1883, entitled an act providing for the sale of public bonds, (80 O. L., 68); provided, however, that said bonds shall be issued with coupons or registered, due in fifty years, and redeemable in twenty years from date.

SECTION 6. That the commissioners of said county shall annually, at their June session, levy such amount of taxes as will pay the interest on such indebtedness and create a sinking fund sufficient to redeem the same at maturity, not exceeding for said sinking fund two per centum per annum on the total indebtedness, and if the commissioners refuse or neglect to levy such taxes regularly, as herein provided, the county auditor shall levy such taxes upon the taxable property of the county and place the same on the list, and all the taxes levied and collected under the provisions of this act shall be applied to the specific object for which they are levied and no other. The money arising from the sale of said bonds shall be placed in the county treasury, to be called "The Franklin County Memorial Armory Construction Fund"; and all warrants drawn upon the treasury for payment out of said fund shall designate on the face, "For the purchase of a site," or "For erection and completion" or furnishing, according as they are drawn for one purpose or the other; and if, upon the completion of any work under the provisions of this act, an unexpended balance of the fund shall remain in the county treasury, such balance shall immediately be placed and kept to the credit of the sinking fund provided for by this act; and no part of said sinking fund shall be transferred or applied to any other purpose, but the same shall be invested and preserved in bonds of said county, of the state of Ohio, or the city of Columbus. Provided, that the proposition and policy of purchasing a site, and erecting and maintaining such memorial armory building shall be first submitted to a vote of the electors of the county at the first regular spring election, after the passage of this act, for their approval, in accordance with the state [statute?] in such case made and provided.

SECTION 7. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1175].

AN ACT

For the relief of the Muskingum County Agricultural Society. .

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Muskingum county, Ohio, be and are hereby authorized and empowered to levy, at their June session in the year 1887, in addition to the tax levies now authorized by law to be made by said commissioners, a levy of three-tenths of one mill on the dollar valuation of the taxable property of said county, which levy shall be placed on the tax duplicate of said county, and collected as other taxes, for the purpose of paying the principal and accrued interest thereon at the time of payment, of a loan made by the Muskingum County Agricultural Society, with the consent of the commissioners of said county; to secure which loan a mortgage for \$6,000, and the interest thereon, was given by said society on the fair grounds, containing fifty (50) acres, more or less, owned by said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1143].

AN ACT

To authorize the council of the village of New Lexington, Perry county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of New Lexington, Perry county, is hereby authorized and empowered to transfer from the general fund to the street and alley fund, any sum not exceeding five hundred dollars; and also to transfer from the police and marshal fund to the street and alley fund, any sum not exceeding five hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

paid for the work or materials under such altered or modified contract has been agreed upon in writing and signed by the contractor and the commissioners, and no contractor shall be allowed or recover anything for extra work or materials caused by any alteration or modification, unless an order is made or agreement signed as aforesaid, nor shall he in any case be allowed to recover more for such work or materials than said agreed price.

SECTION 5. To provide a fund to pay the cost and expenses of the purchase of land, erection, completion and furnishing said memorial armory building under this act, and to be called "The Franklin Memorial Armory Construction Fund," the commissioners of said county shall, from time to time, and as often as said board or a majority thereof shall by resolution declare the necessity therefor, issue the bonds of said county to the amount not to exceed in the aggregate one hundred thousand dollars (\$100,000). Said bonds shall be issued and bear interest at the rate of four per centum per annum in the words and manner prescribed by sections 871 [and] 872 of the Revised Statutes, and the act passed March 22, 1883, entitled an act providing for the sale of public bonds, (80 O. L., 68); provided, however, that said bonds shall be issued with coupons or registered, due in fifty years, and redeemable in twenty years from date.

SECTION 6. That the commissioners of said county shall annually, at their June session, levy such amount of taxes as will pay the interest on such indebtedness and create a sinking fund sufficient to redeem the same at maturity, not exceeding for said sinking fund two per centum per annum on the total indebtedness, and if the commissioners refuse or neglect to levy such taxes regularly, as herein provided, the county auditor shall levy such taxes upon the taxable property of the county and place the same on the list, and all the taxes levied and collected under the provisions of this act shall be applied to the specific object for which they are levied and no other. The money arising from the sale of said bonds shall be placed in the county treasury, to be called "The Franklin County Memorial Armory Construction Fund"; and all warrants drawn upon the treasury for payment out of said fund shall designate on the face, "For the purchase of a site," or "For erection and completion" or furnishing, according as they are drawn for one purpose or the other; and if, upon the completion of any work under the provisions of this act, an unexpended balance of the fund shall remain in the county treasury, such balance shall immediately be placed and kept to the credit of the sinking fund provided for by this act; and no part of said sinking fund shall be transferred or applied to any other purpose, but the same shall be invested and preserved in bonds of said county, of the state of Ohio, or the city of Columbus. Provided, that the proposition and policy of purchasing a site, and erecting and maintaining such memorial armory building shall be first submitted to a vote of the electors of the county at the first regular spring election, after the passage of this act, for their approval, in accordance with the state [statute?] in such case made and provided.

SECTION 7. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1175].

AN ACT

For the relief of the Muskingum County Agricultural Society. .

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Muskingum county, Ohio, be and are hereby authorized and empowered to levy, at their June session in the year 1887, in addition to the tax levies now authorized by law to be made by said commissioners, a levy of three-tenths of one mill on the dollar valuation of the taxable property of said county, which levy shall be placed on the tax duplicate of said county, and collected as other taxes, for the purpose of paying the principal and accrued interest thereon at the time of payment, of a loan made by the Muskingum County Agricultural Society, with the consent of the commissioners of said county; to secure which loan a mortgage for \$6,000, and the interest thereon, was given by said society on the fair grounds, containing fifty (50) acres, more or less, owned by said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1148].

AN ACT

To authorize the council of the village of New Lexington, Perry county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of New Lexington, Perry county, is hereby authorized and empowered to transfer from the general fund to the street and alley fund, any sum not exceeding five hundred dollars; and also to transfer from the police and marshal fund to the street and alley fund, any sum not exceeding five hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1182].

AN ACT

To authorize certain villages therein named to borrow money and issue bonds for the purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village of Ashtabula, in Ashtabula county, Ohio, Barnesville, Belmont county, Ohio, and New Carlisle, Clarke county, Ohio, Camden, Preble county, Ohio, each be and is hereby authorized to issue its bonds for an amount not exceeding five thousand dollars, for the purpose of sinking wells for natural gas, purchasing and laying pipes, and constructing the necessary buildings, fixtures and machinery to supply each of such villages and citizens thereof with natural gas for public and private use and consumption.

SECTION 2. Before such bonds, or any of them, shall be issued, the question of issuing the same shall be submitted to a vote of the qualified electors of such village at a special election, to be held at such time as the council of such village shall appoint. The tickets voted shall have written or printed thereon the words, "Authority to issue bonds—yes," or "Authority to issue bonds—no." If the proposition to issue bonds be approved by a majority of those voting upon the proposition, the village shall have authority to issue such bonds for the purpose named as provided in this act.

SECTION 3. The council of such village, within ninety days after the passage of this act, shall publish notice of the submission of such question, by posting written or printed notices in not less than five public places within such corporate limits for at least ten days prior to such election, and such election shall be held in all respects, not otherwise herein provided, as municipal elections are now required by law to be held in such village.

SECTION 4. Said bonds, when so authorized, shall be issued by the council of such village in denominations not less than fifty dollars nor more than one hundred dollars, payable in such times, not exceeding ten years, as the council shall provide, with interest not exceeding six per cent. per annum, payable semi-annually, principal and interest payable at such place as the council may determine; they shall express upon their face the purpose for which, and the act under which issued, and shall be signed by the mayor and countersigned and registered by the clerk of the village, and shall not be sold for less than their face value.

SECTION 5. No more of such bonds shall be issued or sold than is necessary for and required by the actual and necessary cost and expense of sinking such number of wells as may be required for the purpose named, the purchase and laying of pipes and other necessary expenses; they shall be sold from time to time as the work progresses, and in such amounts as shall be required and made necessary by the progress and for the proper completion of the works; and all proceeds and moneys arising from such bonds shall be used exclusively for and applied to the payment of the work, labor, material and other expenses necessary for the supply of gas for the purposes aforesaid.

SECTION 6. All moneys collected or received by the trustees of gas works of such village from the village or the citizens thereof for gas furnished and consumed for public or private use, and all net income, reve-

nue and profits arising therefrom, shall be pledged and applied to the payment of such bonds and interest; and the council of such village is hereby authorized to levy a tax annually, not exceeding one mill upon the dollar valuation on the taxable property within such village, in addition to the tax now by law authorized to be levied, in such amount as will each year be sufficient to pay the principal and interest then falling due upon such bonds, and provide a sinking fund for the gradual extinguishment of such bonds.

SECTION 7. All moneys so applicable to the payment of such bonds which shall come into the hands of such board of trustees before such bonds, or any of them become due, shall be used to purchase such bonds, or invested under the order of the council as a sinking fund to be applied to the payment of such bonds as they become due.

SECTION 8. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 396].

AN ACT

To authorize the board of education of Worthington school district, Sharon township, Franklin county, Ohio, to appropriate certain funds belonging to said school district, and apply the same to the erection of additional buildings for school and other purposes.

WHEREAS, Under the provisions of an act of the general assembly of the state of Ohio, passed April 11th, 1873, (Ohio Laws, volume 70, page 355), said board of education of Worthington school district have realized from the property mentioned therein, as interest from the funds invested, and the rentals of the real estate, and [have] on hands an unexpended balance in money and securities of about five thousand dollars, which is not required for the purposes named in said act; and

WHEREAS, Owing to the large increase in the number of pupils attending the public schools of the district, more extended facilities are required for said purposes; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be lawful for said board of education of said school district, and they are hereby authorized and empowered to appropriate said unexpended balance, and any subsequently accruing interest and rentals from said property named in said act, to the erection of such additional school buildings as in their judgment the necessities of the schools of said district may require, and to build, in connection with such additional school buildings, a public hall, devoted to school and other purposes, and which shall be and remain under the control and management of said board of education.

SECTION 2. That said board of education, for the purpose of obtaining funds, in addition to said unexpended balance realized from interest on funds invested and from rentals of real estate heretofore mentioned in this act, to aid in the construction of said additional school buildings and hall, are hereby authorized to levy upon the taxable property, real and personal, of said school district, the sum of twenty-five hundred dollars, and to certify said levy to the auditor of Franklin county, who shall place one-sixth part thereof upon the tax duplicate of the real and personal property of said school district for the year 1887, one-sixth part of said levy on said duplicate for the year 1888, and one-fifth part of the remainder every year thereafter, until said sum of twenty-five hundred dollars shall be fully realized from said levy herein authorized to be made as aforesaid, which tax shall be collected by the treasurer of said Franklin county in the same manner as other taxes are required by law to be collected by him.

SECTION 3. That upon the faith of said levy, and in anticipation of the money to be realized therefrom, said board of education of said Worthington school district are hereby authorized and empowered to borrow money and issue bonds in the name of said board of education, at a rate of interest not exceeding seven per centum per annum, payable semi-annually, or annually, at the discretion of said board, and in such amounts and at such times as said board may think advisable to do so.

SECTION 4. That as soon as said board of education has made said levy and has certified the same to the county auditor, said board is hereby authorized to proceed immediately to construct said buildings and hall, and for said purpose may employ a competent architect to furnish suitable plans and specifications therefor, and to superintend the building of the same, and in all other respects, as to the letting and making of contracts for the work and materials necessary to be done or furnished for said purposes, said board of education shall be governed by the laws in force relating to the erection of school houses.

SECTION 5. Before said board of education, however, are authorized to expend the funds named in the preamble and first section of this act, for the purposes therein named, or to levy the tax named in the second section thereof, said board shall submit to the qualified voters of such school district, the expediency of said expenditure, and shall, for this purpose, upon the written request of not less than five of such qualified voters of said school district, by a resolution of said board, fix the time and place of holding said election, which election shall not be held until after the expiration of six weeks from the passage of such resolution, and of which notice shall be given by posting notices in three of the most public places of the district, and, if upon such election, a majority of all the votes cast thereat, shall be in favor of such expenditure and improvement, then said board may proceed immediately to the erection of said buildings as mentioned in the first section of this act.

rece from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1167].

AN ACT

To authorize the village of Doylestown, Wayne county, Ohio, to issue bonds for the purpose of purchasing a fire engine, with its necessary apparatus and equipments, for the use of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Doylestown, Wayne county, Ohio, be and hereby is authorized and empowered to issue bonds, not to exceed in amount four thousand dollars, for the purpose of purchasing a fire engine, and its necessary apparatus and equipments, for said village; said bonds shall bear such rate of interest not exceeding six per cent. per annum, payable semi-annually, and shall mature at such times as said council shall determine; said bonds shall not be sold for less than their par value.

SECTION 2. That for the purpose of paying said bonds and interest thereon, the said council is hereby authorized to levy a tax upon all the taxable property of said village; said tax shall be levied and collected in the same manner as taxes for general purposes are now levied and collected.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1142].

AN ACT

To authorize the commissioners of Clermont county, Ohio, to borrow a certain sum of money for a specific purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Clermont county, Ohio, are hereby authorized and empowered to borrow, on behalf of said county, a sum of money not exceeding ten thousand dollars, for the purpose of building a bridge across Stonelick creek in Stonelick township, in said county, at or near a point where the late Milford and Chillicothe turnpike road crosses said creek.

SECTION 2. The commissioners aforesaid are hereby authorized and empowered to issue and negotiate the bonds of said county for the sum borrowed as aforesaid, which shall bear interest at the rate of not more than six per centum per annum; said bonds to be payable in 1890 and 1891, or sooner, as said commissioners may determine; and the same shall be negotiated at not less than their par value.

thereon the words, "Gas—Yes;" or, "Gas—No." And a majority of votes at said election shall decide the question.

SECTION 8. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 495].

AN ACT

To authorize the county commissioners of Hamilton county, Ohio, to complete Columbia avenue to Kemper lane.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county be and they are hereby authorized to issue bonds for the purpose of completing Columbia avenue to Kemper lane, in Cincinnati, Ohio, and not exceeding in amount the sum of thirty thousand dollars. Said bonds may be in denomination of not less than one hundred nor more than one thousand dollars, bearing interest not exceeding five per centum per annum, payable semi-annually, and redeemable at such times as said commissioners may determine, but not exceeding ten years from the date thereof, and which shall not be sold for less than their par value; and for the purpose of paying the interest on said bonds, and the principal of the same as they shall become due, there shall be levied annually a sufficient tax upon all the taxable property in said county, in addition to the taxes now by law authorized to be levied thereon.

SECTION 2. The money arising from the sale of said bonds shall be expended by and under the direction of the board of public affairs of the city of Cincinnati, Ohio, for the purposes of grading, macadamizing and completing said avenue, and for no other purpose whatsoever, nor shall any part of said money be transferred to any other fund, or be diverted from the object expressed herein.

SECTION 3. That the act entitled "an act to authorize the commissioners of Hamilton county to provide for the completing of an avenue known as Columbia avenue," passed May 4, 1885, (82 Ohio Laws, 423), be and the same is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 454].

AN ACT

To authorize the city of Steubenville, Jefferson county, Ohio, to issue bonds to build a plant for filtering water at the reservoirs.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city of Steubenville, Jefferson county, Ohio, be and it is hereby authorized to issue bonds not to exceed in amount the sum of twenty thousand(\$20,000) dollars, for the purpose of raising money to build a plant for the filtering of water at the reservoirs in said city; said bonds to be issued and sold according to law, and shall be payable at such times within ten years as the council of said city shall by ordinance determine, and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, as said council shall determine, and the corporate faith, property and credit of said city shall be pledged for the redemption of said bonds and the interest lawfully due on the same.

SECTION 2. That the surplus of the proceeds received from water rents by the water works trustees of said city, above the sum necessary to be applied for the proper management of the water works system, shall be by said trustees paid to satisfy the interest and principal of the bonds provided for by section one of this act.

SECTION 3. That the said city of Steubenville shall levy a tax upon all the taxable property of said city for the payment of said bonds and interest for each year that the surplus to be applied as provided in section two of this act is not sufficient to satisfy and pay the same.

SECTION 4. That this act be in force and take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 428].

AN ACT

To authorize the commissioners of Pike county to build a certain road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Pike county hereby are authorized, when in their judgment the best interests of the public require, and the resident land owners along the route of road hereinafter named shall secure to the county all the right of way, and all the earth, gravel and stone necessary to the construction of said road, free of costs and expense to the county, to construct a free turnpike, and for such purpose they are authorized to employ a competent engineer or superintendent to superintend the build-

ing of the same, at a compensation not to exceed three (3) dollars per day for the time actually engaged on such work, and along the following route, or either part thereof:

First part: Beginning at the Scioto river bridge in Jackson township; thence east to the Piketon and Richmond road; thence north on said Piketon and Richmond road to the Ross county line.

Second part: Beginning at the junction of said proposed road with the Piketon and Richmond road, on the farm of Joseph Foster; thence south on the Piketon and Richmond road to the crossing of the Scioto Valley railroad.

SECTION 2. That for the purpose of building said road, and to obtain the money therefor, the commissioners shall have the right, when they have determined to build said road, to issue the bonds of said county, not to exceed twelve hundred dollars per mile, and in such denominations as may be best, but not in denominations less than one hundred dollars, payable at such dates and times as the commissioners may deem best, to bear interest at a rate not greater than six per cent., and which bonds shall be sold according to law.

SECTION 3. That to pay said bonds and interest thereon, as the same may become due, said board of commissioners are hereby authorized to levy a tax not to exceed one mill on the dollar, annually, of the taxable property of said county.

SECTION 4. That in performing the duties required of the commissioners under this act, all duties not herein expressly set forth, shall be governed by the general laws of the state regulating the building of free turnpikes

SECTION 5. This act to take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 455].

AN ACT

To authorize the city of Steubenville, Jefferson county, Ohio, to issue bonds to construct mains to supply water to the sixth ward of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city of Steubenville, Jefferson county, Ohio, be and it is hereby authorized to issue bonds, not to exceed in amount the sum of twenty thousand (\$20,000) dollars, for the purpose of constructing mains to supply water from the reservoirs of said city, throughout the sixth ward of said city; and the corporate faith, property and credit of said city shall be pledged for the payment of the same.

SECTION 2. That said bonds shall be issued and sold according to law,

and shall bear a rate of interest not to exceed six per centum per annum, payable semi-annually. Said bonds shall be payable within fifteen years, at such times as the council of said city shall by ordinance determine.

SECTION 3. That any surplus in the treasury received from water rents shall be set aside from time to time by the water works trustees of said city, after payment for a filtering plant for the reservoirs of said city, for the redemption and payment of said bonds, and for the payment of interest due thereon.

SECTION 4. That for the payment of all of such bonds and the interest thereon, that may not be made out of the surplus by the water works trustees, the council of said city are authorized to levy a tax upon all the taxable property of said city for each payment that may not be provided for by said surplus.

SECTION 5. That this act be in force and take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[Senate Bill No. 485].

AN ACT

To authorize the council of the village of Fostoria, Ohio, to issue bonds not exceeding in amount thirty-five thousand dollars, for the purpose of refunding its floating debt.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Fostoria, in Seneca and Hancock counties, Ohio, be and it hereby is authorized and empowered to issue its bonds, not to exceed in amount thirty-five thousand dollars, in such denominations not exceeding \$1,000, and payable at such times and places within twenty years as the council may determine, for the purpose of refunding the floating debt of said village; said bonds to bear interest at a rate not in excess of six per cent., payable semi-annually, and not to be sold for less than their par value.

SECTION 2. That for the purpose of paying the principal and interest of said bonds, said council may levy a tax annually, in addition to the amount now by law authorized to be levied, on each dollar of valuation of taxable property of said village, not exceeding two (2) mills in any one year.

SECTION 3. That before said council shall issue said bonds, it shall submit the proposition to the qualified electors of said village at a general, or special election, at least ten days' notice of such election having been given by publication in two newspapers published and having a general circulation

in said village. Those voting at such election who shall favor such issue of bonds shall have written or printed upon their ballots the words, "Authority to issue bonds—Yes;" and those opposing such proposition shall have written or printed upon their ballots the words, "Authority to issue bonds—No;" and if a majority of those voting are in favor of such issue then the council shall have authority under this act.

SECTION 4. This act shall take effect upon its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1122].

AN ACT

To authorize the commissioners of Guernsey county to construct free turnpike roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Guernsey county are hereby authorized to construct free turnpike roads in the manner hereinafter provided.

SECTION 2. Said commissioners shall, with the approval of the court of common pleas of said county, or a judge thereof, appoint seven viewers, who shall be resident freeholders of said county, to be justly apportioned to different parts of said county, and to be selected with especial reference to their qualifications in that regard, who shall view the roads and thoroughfares in said county, the towns, centers of population, the means of communication, and fully consider the interests of the people of said county in that respect, and report in writing to said commissioners what roads, or parts of roads, if any, ought to be made free turnpike roads, or otherwise improved, at the expense of said county, in whole or in part, and what roads, or parts of roads, should be first improved, and in what manner, and the estimated cost of the same, looking to the general good and the public welfare.

SECTION 3. Upon the report of not less than five of said viewers recommending the same, the commissioners may improve any road, or part of the road therein recommended, and the recommendation of such viewers shall be necessary to authorize said commissioners to construct any turnpike road in said county, or levy a tax for the same, or otherwise improve roads as aforesaid; provided, that in no year shall said commissioners construct more than ten miles of such turnpike roads.

SECTION 4. Said commissioners may, if they deem best, issue bonds for the construction of said roads; provided, said bonds shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually, and shall be sold according to law.

SECTION 5. Said commissioners shall, before proceeding to construct

said roads, or any part of the same, require and secure from those interested in said improvements, a subscription or donation equal in amount to thirty per centum of the estimated cost as returned by said viewers of said improvements, to aid in the construction of the same.

SECTION 6. For the purpose of paying said bonds said commissioners are hereby authorized to levy and assess a tax, not exceeding one-fourth of one mill on the dollar annually, on all property in said county on the tax duplicate.

SECTION 7. A majority of said commissioners shall, at a regular or special session, be necessary to agree upon specifications, and order said improvements or any part thereof.

SECTION 8. Said viewers shall be allowed reasonable expenses and such compensation as in other road cases.

SECTION 9. Said commissioners are directed to provide and keep at their office specifications for turnpikes, and upon the construction by any person, of any road or part of road recommended by said viewers for improvement, not less than five miles in length, in accordance with such specifications, they may order to be paid out of the county treasury fifty per centum of the cost thereof, such sum in the aggregate not to exceed \$1,000 per mile.

SECTION 10. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 983].

AN ACT

To authorize the council of the village of Wharton, Ohio, to issue bonds for the purpose of sinking wells for natural gas, and providing necessary main and service pipes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Wharton, Wyandot county, Ohio, be and the same is hereby authorized to issue the bonds of said village in any sum or sums, not exceeding two thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, for the purpose of providing funds to defray the expense of sinking wells for natural gas, and laying necessary main and service pipes therefor.

SECTION 2. The principal of such bonds shall be payable at such place and at such times, not exceeding ten years from date of issue, as the council of said village may by ordinance determine; and the said council is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds and interest, but such tax shall not exceed three mills on the dollar in any one year.

SECTION 3. Said bonds shall be issued in such sums as the council may by ordinance determine; they shall be signed by the mayor and countersigned by the clerk of said village, who shall make a record of the number, date and amount of each bond, and they shall not be sold for less than their par value.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1148].

AN ACT

To authorize the village of LaRue, Marion county, Ohio, to borrow money and issue its bonds therefor, for the purpose of sinking and operating a natural gas or oil well.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village of LaRue, in Marion county, Ohio, be and it is hereby authorized to issue and sell its bonds for an amount not exceeding three thousand dollars (\$3,000), for the purpose of sinking a well for natural gas or oil, as the case may be, and for supplying the necessary buildings, piping, fixtures and machinery for properly handling such product, when found.

SECTION 2. No such bonds shall be issued until the council of said village shall have leased or otherwise secured control of a suitable site for said well, and provided by ordinance for the election or appointment of trustees of gas works, and defining the duties of said board, under whose direction the work shall be conducted, and the moneys arising from the sale of said bonds expended. Such bonds, when issued, shall be in denominations not less than one hundred nor more than three hundred dollars, payable in such times, not exceeding five years, as the council may provide, with interest not exceeding six per cent. per annum, payable

semi-annually; principal and interest, payable at such place as the council may determine; they shall express upon their face the purpose for which, and the act under which issued, and shall be signed by the mayor and countersigned and registered by the clerk of the village, and shall not be sold for less than their face value.

SECTION 3. No more of such bonds shall be issued or sold than is required by the actual and necessary cost of sinking said well, and for properly storing, using or selling the product found; they shall be sold from time to time, in such amounts as are made necessary by the progress of the work; and all the proceeds and moneys arising from such bonds shall be used exclusively for and applied to the payment of work, labor and material necessary to sink said well and handle the products therefrom.

SECTION 4. All the net income, revenue and profits arising from the use, rent or sale of said well, or the products therefrom, shall be paid into the village treasury, and pledged and applied to the payment of said bonds and interest; and the council of said village is hereby authorized to levy a tax annually, not exceeding three mills, on the taxable property within said village, in addition to the tax now by law authorized to be levied, in such amount as will each year be sufficient to pay the principal and interest then falling due, and provide a sinking fund for the gradual extinguishment of said bonds; after which the remaining income from said well, if any, shall be paid into the general revenue fund of said village.

SECTION 5. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed March 21, 1887.

[House Bill No. 1184].*

AN ACT

To authorize the trustees of Mill township, Tuscarawas county, Ohio, and Washington township, Columbiana county, Ohio, to issue bonds for the purpose of sinking wells for natural gas or oil, and provide necessary main and service pipes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Mill township, Tuscarawas county, Ohio, and Washington township, Columbiana county, Ohio, be and the same are hereby authorized to issue the bonds of said township, in any sum, or sums, not exceeding eight thousand dollars, bearing interest at a rate not exceeding five per cent. per annum, payable semi-annually, for the purpose of providing funds to defray the expense for sinking wells for natural gas or oil, and laying necessary main and service pipes therefor.

SECTION 2. The principal of such bonds shall be payable at such place and at such time, not exceeding ten years from date of issue, as the trustees of said township may determine, and the said trustees are hereby authorized to levy a tax upon the taxable property of said township, to pay said bonds and interest, but such tax shall not exceed three mills on the dollar in any one year.

SECTION 3. Said bonds shall be issued in sums as the the trustees may determine; they shall be signed by [the] trustees and attested by the township clerk, who shall make a record of the number, date and amount of each bond, and they shall not be sold for less than their par value.

SECTION 4. The trustees shall, before issuing said bonds, submit the question to a vote of the people of said township, at any special or general election, notice to be given not less than ten days previous; said notice to be posted in six of the most public places in said township, and shall have placed upon said ballots the following words: "For issuing bonds for the purpose of sinking gas or oil wells—Yes"; "For issuing bonds for the purpose of sinking gas or oil wells—No"; and if a majority of the votes so cast shall be in favor of issuing said bonds, then the trustees shall proceed under this act and issue said bonds.

SECTION 5. This act shall take effect on its passage.

[JOHN C. ENTREKIN.]

Speaker of the House of Representatives.

[S. A. CONRAD.]

President of the Senate.

Passed [March 19,] 1887.

*H. B. 1184, passed the house and senate on the 19th day of March. It was afterwards mislaid, and failed to receive the signatures of the speaker of the house of representatives and president of the senate. After the adjournment, the same was found, and the enrolled copy, here printed, was filed in the office of the secretary of state by the clerk of the house of representatives. The facts in reference to its passage are set forth in the following certificates made by the clerks of the house and senate:

COLUMBUS, O., April 2d, 1887.

This is to certify, That House Bill No. 1184, by Mr. Ankeny, was introduced and read the first time in the house of representatives March 19th, 1887; second time, March 19th, 1887; third time, March 19th, 1887; and amended as follows: "After the word 'Ohio,' in section 1, insert 'Washington township, Columbiana county,'" and passed March 19th, 1887, by a vote of—yeas, sixty-six, nays, 1. The title thereof was amended by inserting Washington township, Columbiana county, and agreed to.

All of which appears upon the journal of the house of representatives of the date above mentioned; and further that the foregoing is a true copy of said House Bill No. 1184, by Mr. Ankeny, as the same passed both houses of the General Assembly.

DAVID LANNING,

Clerk of the House of Representatives.

COLUMBUS, April 2, 1887.

This is to certify, That House Bill No. 1184 was read the first time in the senate on the 19th day of March, 1887; the second and third times on the same day (the constitutional rule being dispensed with, in each case, by the requisite number of votes), and passed on said 19th day of March, by the following vote: Yeas 21, nays 3.

All of which appears on the senate journal of March 19, 1887.

Attest:

C. N. VALLANDIGHAM,

Clerk Ohio Senate.

JOINT RESOLUTIONS.

[House Joint Resolution No. 62.]

JOINT RESOLUTION

Relative to the death of John A. Logan.

Be it resolved by the General Assembly of the State of Ohio, That in the death of U. S. Senator, John A. Logan, the nation has lost one of her most able, upright and distinguished statesmen and patriots, whose eminent services as a soldier and statesman have built for him a monument of grateful and loving remembrance in the hearts of his countrymen and enrolled his name in the galaxy of America's greatest benefactors.

Resolved, That we mourn his death and the nation's loss, and tender our sympathy to his wife and family in their sad bereavement.

Resolved, That a copy of these resolutions be sent by the Speaker of this House of Representatives and the President of the Senate to Mrs. John A. Logan.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Adopted January 13, 1887.

[House Joint Resolution No. 61].

JOINT RESOLUTION

Relative to appointing a committee to wait upon the governor to inform him that the General Assembly is in session.

Be it resolved by the General Assembly of the State of Ohio, That a committee of three on the part of the House and ——— on the part of the Senate be appointed to wait upon the governor to inform him that the General Assembly is now in session and ready to receive any communication he may have to submit.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Adopted January 13, 1887.

[House Joint Resolution No. 68].

JOINT RESOLUTION

Requesting our senators and representatives in Congress to procure the passage of a law to adjust certain accounts between the United States and the several states and territories and the District of Columbia, as set forth in House Bill No. 2776, and dated January 7, 1886.

WHEREAS, On January 7, 1886, Hon. W. T. Price, of Wisconsin, introduced in the house, House Bill No. 2776, which was referred to the house committee on the judiciary; and on May 24, 1886, the Honorable Wade Hampton, of South Carolina, introduced in the senate an amendment to Senate Bill No. 2457, which was referred to the senate committee on finance: "A bill to adjust certain accounts between the United States and territories and the District of Columbia."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the secretary of the treasury to credit to each State and territory of the United States and the District of Columbia, a sum equal to all collections made from said States and territories and the District of Columbia under the act of Congress, approved August fifth, eighteen hundred and sixty-one, and the amendatory acts thereto, with such additional credits as under said act they are entitled to have in consequence of having paid any portion thereof without expense of collection to the United States, and such sums also as have been collected from lands or owners thereof under supplemental acts on any account whatever.

SEC. 2. That all moneys still due to the United States on the quota of direct tax apportioned by section eight of the act of Congress, approved August fifth, eighteen hundred and sixty-one, are hereby remitted and relinquished.

SEC. 3. That there is hereby appropriated out of any money in the treasury, not otherwise appropriated, such sums as may be necessary to re-imburse each State, territory and the District of Columbia for all money found due to them under the provisions of this act; and the treasurer of the United States is hereby directed to pay the same; provided, that when the same or any part thereof credited to any State, territory or the District of Columbia have been collected from any citizen thereof, either directly or by sale, resale or lease of property, such sum shall be held in trust by such State, territory or the District of Columbia for the benefit of those of its citizens from whom it was collected, or their legal representatives.

WHEREAS, The foregoing bill provides that the secretary of the treasury shall credit each State with the amount of money assessed against it for direct taxes under the act of August 5, 1861.

WHEREAS, The effect of the passage by Congress of said bill will be to refund to those States which have paid the amounts of such assessments to the extent of the sums by them so paid, and to release those States which have not paid, from hereafter paying all said taxes, and also from all future liability to pay the same; whilst the right of the general government to raise revenue by direct taxation is unquestioned, it is patent this direct tax was in the nature of an enforced loan, and it was made in

this form only because it was required to meet the great exigency then upon the country ; and

WHEREAS, Several of the States now owe the general government from a quarter to a half-million dollars each, on account of this direct tax, while others have paid their full quota ; therefore,

Be it resolved by the General Assembly of the State of Ohio, That our senators and representatives in Congress be requested to urge the passage of the bill hereinbefore referred to, and use their best endeavors to secure to the State the amount paid to the United States by this forced tax.

Resolved, That a copy of these resolutions be forwarded to each of the senators and representatives by the governor of Ohio.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

ROBT P. KENNEDY,

President of the Senate.

Adopted January 19, 1887.

[House Joint Resolution No. 69].

JOINT RESOLUTION

Relative to requesting our senators and representatives in Congress to do all possible for the passage of Senate Bill No. 1976.

WHEREAS, There has been introduced in the senate of the United States a bill (No. 1976) "To provide for the survey of certain historic grounds, locations and military works;" therefore,

Be it resolved by the General Assembly of the State of Ohio, That our senators and representatives in Congress be and they hereby are requested to vote for and urge the passage of the same, at the earliest practical moment, and that the governor forward a copy of this resolution to each of our senators and representatives in Congress.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

ROBT P. KENNEDY,

President of the Senate.

Adopted January 20, 1887.

[Senate Joint Resolution No. 36].

[JOINT RESOLUTION]

ADOPTED

Relative to the meeting, in joint convention, of both houses of the General Assembly on Wednesday, January 5, 1887.

Resolved by the General Assembly of the State of Ohio, That the two houses of the General Assembly meet in joint convention, in accordance with the constitution and statutes, in the hall of the house of representatives,

on Wednesday, January 5, 1887, at 3:30 o'clock P. M., and count the votes for State officers at the election held on the first Tuesday of November, A. D. 1886.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President pro tem. of the Senate.

Adopted January 21, 1887.

[House Joint Resolution No. 71].

JOINT RESOLUTION

Relative to the death of Gen. Wm. B. Hazen.

WHEREAS, In the death of Gen. Wm. B. Hazen, chief of the signal service, the State of Ohio has lost one of her most illustrious sons, and the nation one of her most distinguished soldiers and patriots, whose eminent services have endeared him to the hearts of the American people.

Resolved by the General Assembly of the State of Ohio, That we mourn his death and the nation's loss, and tender our sympathy to his wife and family in their sad bereavement.

Resolved, That a copy of these resolutions be sent by the Speaker of the House of Representatives and the President of the Senate to Mrs. Wm. B. Hazen.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President pro tem. of the Senate.

Adopted January 25, 1887.

[House Joint Resolution No. 70]

JOINT RESOLUTION

Relative to the printing for the Ohio State Board of Agriculture.

Resolved by the General Assembly of the State of Ohio, That the necessary printing for the Ohio State Board of Agriculture, including the monthly or quarterly crop reports, shall be executed under the direction of the supervisor of public printing. The monthly or quarterly crop reports to be printed in advance of all other matter.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President pro tem. of the Senate.

Adopted January 28, 1887.

[House Joint Resolution No. 75].

JOINT RESOLUTION

Relative to providing a room for the use of State Board of Health.

Resolved by the General Assembly of the State of Ohio, That the room in the State House, now occupied by the superintendent of the State House or by laborers, as a private office, be vacated by said superintendent of State House, or laborers, and that the same be set apart for the use of State Board of Health.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President pro tem. of the Senate.

Adopted February 2, 1887.

[House Joint Resolution No. 79].

JOINT RESOLUTION

Instructing our senators and requesting our representatives in Congress to use all honorable means to secure the passage of S. 3073.

WHEREAS, there is pending in the Congress of the United States a bill "To grant arrears of pensions in certain cases" as follows:

49TH CONGRESS, } S. 3073.
 2nd Session, }

A BILL

To grant arrears of pensions in certain cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act all persons on the pension rolls of the United States who are drawing pensions on account of loss of limb or limbs shall be entitled to receive arrears of pensions from date of discharge or disability; and covering all the time up to the passage of the act or acts authorizing the issuance of their last pension certificate, at the same rate per month to which that certificate entitles them. Therefore,

Be it resolved by the General Assembly of the State of Ohio, That our senators in Congress are instructed and our representatives in Congress are requested to use all honorable means to secure the passage of such bill, and that the governor be requested to forward a copy of this resolution to our senators and representatives in Congress.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
 S. A. CONRAD,
President pro tem. of the Senate.

Adopted February 2, 1887.

[House Joint Resolution No. 80].

JOINT RESOLUTION

Relative to pay of assistant librarian for the month of July, 1886.

WHEREAS, The State librarian, on the 31st. day of July (1886) issued to Miss M. C. Harbaugh, assistant librarian, a voucher for the sum of one hundred dollars (\$100.00) for services as such assistant librarian ; and,

WHEREAS, The auditor of state refused to draw a warrant on the treasurer for such sum without further instructions ; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the auditor of state be and is hereby instructed and directed to draw his warrant upon the treasury for such sum for the purpose aforesaid.

DANIEL J. RYAN,

Speaker pro tem. of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Adopted February 3, 1887.

[Senate Joint Resolution No. 39].

A JOINT RESOLUTION

Relative to the celebration of the anniversary of the settlement at Marietta, Ohio.

WHEREAS, This General Assembly did at its last session by joint resolution, passed unanimously, distinctly recognize the great importance of the acquisition and occupation of the "territory north-west of the river Ohio," and did recommend the celebration of those events, and also did recommend the erection of a suitable memorial structure at Marietta, Ohio, commemorative of the services of the men who laid the foundations of free states within the aforesaid territory ; and

WHEREAS, The General Assembly did also recommend an exposition of the industrial and educational progress of the people of Ohio, to be held in her capital city in the autumn of the year 1888 ; and

WHEREAS, The four states, Indiana, Illinois, Michigan and Wisconsin, which, with Ohio, comprise the old "North-west territory," and, therefore, have in common an historical interest in these events, and in the proposed proceedings commemorative thereof ; and

WHEREAS, The General Assembly of the State of Ohio, fully recognizing the importance and significance of our great organic law, the ordinance of 1787, and of the first settlement of our soil made in pursuance thereof at Marietta, April 7, 1788, and that the occasion of its centennial should be made one in which not only the state of Ohio, but the other states forming the North-west territory can participate ; and believing it to be the earnest wish of the people of Ohio, that the five great commonwealths now comprising this territory should unite in the social cele-

bration of these events at Marietta, Ohio, in April, 1888, and also in the industrial and educational exposition at the capital in the autumn of the same year; therefore,

Be it resolved by the General Assembly of the State of Ohio, That a cordial invitation be extended to the people of the heretofore mentioned states to participate in the efforts now in progress to celebrate these events and to preserve for the benefit of posterity the memories of those who laid the enduring foundations of republican institutions in the central portion of this great republic.

Resolved, 2d, That the governor is hereby requested to transmit to the executive of each of the states of Indiana, Illinois, Michigan and Wisconsin, copies of this joint resolution in such manner and with such greetings and formal invitations as he may deem proper.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Adopted February 3, 1887.

[House Joint Resolution No. 76].

JOINT RESOLUTION

Relative to printing fifteen hundred copies of a manual of the 67th General Assembly.

Be it resolved by the General Assembly of the State of Ohio, That there be printed for the use of senators and members of the house, fifteen hundred copies of the revised rules of the senate and house, including joint rules, names of members with post office address, and list of committees; also, that there be included therewith, extracts from the constitution, laws, and revised statutes of the United States, with the rulings of the courts thereon, as found in the manual adopted by the 66th General Assembly; that nine hundred of said copies be bound in muslin and six hundred copies thereof be bound in Turkish leather, in style substantially as printed and bound for the 66th General Assembly; and,

That the 3rd assistant sergeant-at-arms of the house of representatives is hereby authorized to retain a sufficient number of said manuals to supply the members of the 68th General Assembly.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Adopted February 3, 1887.

[Senate Joint Resolution No. 44].

A RESOLUTION

Relative to admission of Mrs. Mary Seymour into asylum at Dayton for the insane.

WHEREAS, Mrs. Mary Seymour, born and raised in Madison township, Clark county, Ohio, and for a long time a resident thereof, at present a citizen of the state of Illinois, but at this time residing with her sister in said county and township, and from sickness and ill-treatment by her husband, who has abandoned her, has become insane; therefore,

Resolved by the General Assembly of the State of Ohio, That the superintendent of the Dayton asylum for the insane be and he is hereby authorized and required to admit the said Mary Seymour into said asylum under the same rules and regulations as other inmates are admitted under existing laws.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Adopted February 15, 1887.

[Senate Joint Resolution No. 46].

A RESOLUTION

Relative to offering a reward for the arrest of the assassins of certain officers of the Cleveland police force.

Resolved by the General Assembly of the State of Ohio, That in view of the facts communicated by the governor of the state, in special message, respecting the recent attempted assassination of Captain Hoehn and Detective Hülligan, of the Cleveland police force, at Ravenna, on a public transportation line, while engaged in the execution of a state process issuing from the governor's office; therefore, the governor be and he is hereby requested and authorized to offer in behalf of the state, for the arrest and conviction of the parties engaged in said murderous assault, a reward of five thousand dollars (\$5,000), or a reward of one thousand dollars (\$1,000) for the arrest and conviction of any one of said parties.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Adopted February 15, 1887.

[House Joint Resolution No. 77].

JOINT RESOLUTION

To authorize the binding of 600 copies of the adjutant-general's report.

Resolved by the General Assembly of the State of Ohio, That the supervisor of public printing be and he is hereby directed to cause to be bound in cloth six hundred (600) copies of the annual report of the adjutant-general of the state for the year 1886.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Adopted February 15, 1887.

[Senate Joint Resolution No. 43].

A RESOLUTION

Relative to centennial celebration at Cincinnati.

WHEREAS, In the year 1888 will occur the one hundredth anniversary of the first settlement of the North-western territory and the state of Ohio, and as such anniversary will be of great interest, especially to the people of this and the central states of the Union, and should be appropriately observed and celebrated, in order that the progress of the century may be noted; and whereas, no better way can be devised for such purpose, than by an exposition of agriculture, mechanics, commerce and art, to be held in a city near the center of population, and most easily accessible to our sister states; and whereas, the city of Cincinnati is so situated, and is the most proper place for holding such exposition; and whereas, the chamber of commerce, the board of trade, and the Ohio mechanics' institute, of that city, have undertaken the organization and carrying on of "the centennial exposition of the Ohio valley and central states," to be held at Cincinnati, in the year 1888, and have appointed a board of commissioners of leading citizens of that city for such purpose; and whereas, said bodies and said commissioners have petitioned the General Assembly for its approval of, and co-operation in, said undertaking; therefore,

Be it resolved by the General Assembly of the State of Ohio, That hereby there be extended to the centennial exposition of the Ohio valley and central states, to be held in the city of Cincinnati in the centennial year. 1888, the hearty approval and support of this body, the people and the state of Ohio; and in their behalf we ask for said board and exposition the co-operation and support of the federal government, our sister states, and especially the central states of the Union. But nothing in this resolution, or in those following, shall be held to commit the state, in any manner, to the making of any appropriation, or the incurring of any liability, whatever, on account of said exposition.

Resolved, That the governor of this state be requested and empowered to appoint five honorary commissioners from the state of Ohio, to represent the state in the preparation for, and carrying on of, this centennial exposition.

Resolved, That the General Assembly of the State of Ohio invites for the support of this great undertaking, the assistance and co-operation of the federal government, our sister states, and especially the central states of West Virginia, Pennsylvania, Kentucky; Tennessee, Indiana, Illinois and Michigan, and that they be requested to appoint five honorary commissioners, each to assist in the organization and carrying on of this centennial exposition.

Resolved, That a copy of these resolutions be furnished the President and Congress of the United States, the executives and legislatures of the several states, and that in the name of the state of Ohio, the governor be requested to solicit of the several states and government immediate action.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President pro tem. of the Senate.

Adopted February 16, 1887.

[House Joint Resolution No. 83].

AN ACT

[Joint Resolution?]

To authorize the secretary of state to contract for the publishing of certain volumes of the Ohio State reports.

SECTION 1. *Be it resolved by the General Assembly of the State of Ohio*, That the secretary of state is hereby authorized to contract with some responsible person or firm, within this state, to furnish the material and to print and bind a sufficient number of volumes 45 and 46 of the Ohio State reports, to supply the state with three hundred and fifty copies of each of such reports, and the demand of the citizens of this state with such copies as may be desired by them.

SECTION 2. Such contract shall be made subject to the provisions of section 437 of the Revised Statutes of Ohio, as amended January 17, 1881 (78 v. 14), as to cost and otherwise; and the contract price shall include delivery free to the state, at the city of Columbus, of the three hundred and fifty copies of each volume, so authorized to be contracted for, and also deliver free to any other purchaser at any point within this state.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

ROBT P. KENNEDY,

President of the Senate.

Adopted March 2, 1887.

[House Joint Resolution No. 86].

AN ACT

[Joint Resolution?]

Instructing the adjutant-general to purchase furniture for and have work done herein named in office occupied by the clerks of soldiers' roster department.

Be it resolved by the General Assembly of the State of Ohio, That the adjutant-general be and hereby is instructed to purchase for the room now occupied by the clerks of the soldiers' roster office, a carpet, eight office chairs and one wash stand, and to have the walls of the room calcimined at a cost not to exceed two hundred dollars.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Adopted March 4, 1887.

[House Joint Resolution No. 81].

JOINT RESOLUTION

Authorizing the adjutant-general to loan tents for soldiers re-union at Uhrichsville, Ohio.

WHEREAS, The annual reunion of the 13, 51, 52, 80 and 98 O. V. I. is to be held in the town of Uhrichsville, Tuscarawas county, on the 7, 8 and 9 of September, 1887; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the adjutant-general of the state is hereby instructed and authorized to loan to the executive committee, for the above named occasion, such number of tents, not exceeding thirty; provided, the same are in his possession, and not in use by the National Guard of the state; and to accord said executive committee such other assistance and privileges as shall not materially conflict with the preservation of the public property of the state; provided, said property shall be taken and returned without expense to the state of Ohio.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Adopted March 5, 1887.

[House Joint Resolution No. 90].

JOINT RESOLUTION

Authorizing the adjutant-general to loan tents for certain purposes therein named.

WHEREAS, The surviving comrades of the 12 O. V. C. will hold their annual re-union at Hilliard, Franklin county, Ohio, on the last day of August next; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the adjutant-general of the state is hereby instructed and authorized to loan to the executive committee for the above named occasion, such number of tents, not exceeding twenty-five, as may be desired; provided, the same are in his possession and not in use by the National Guard of the state; and to accord said executive committee such other assistance and privileges as shall not materially conflict with the preservation of the public property of the state; provided, said property shall be taken and returned without expense to the state of Ohio.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed [Adopted] March 8, 1887.

[Senate Joint Resolution No. 49].

A RESOLUTION

Relative to *sine die* adjournment of the 67th General Assembly.

Resolved by the General Assembly of the State of Ohio, That the 67th general assembly shall adjourn, *sine die*, on Monday the 21st day of March, at 10 o'clock A. M.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Adopted March 11, 1887.

[Senate Joint Resolution No. 47].

A RESOLUTION

Relative to bringing prisoners from other states to Ohio to testify.

Be it resolved by the General Assembly of the State of Ohio, That the governor of the state of Ohio, upon the written request of the prosecuting attorney of any county of this state, representing that any person held in confinement, under sentence in the penitentiary, or other penal institution of any other state, is a material witness for the state of Ohio, in any

criminal cause pending in such county, in which the crime charged is a felony, is hereby authorized to make a request upon the proper officers of such penal institution, in which such person is confined, asking that such person be brought into such county, in this state to testify in behalf of the state of Ohio, which request shall be accompanied by a certified copy of the provisions of the statutes of Ohio, protecting such person from discharge.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Passed [Adopted?] March 11, 1887.

[House Joint Resolution No. 96].

JOINT RESOLUTION

To rescind Senate Joint Resolution No. 22.

Resolved by the General Assembly of the State of Ohio, that the necessary printing for the Ohio State board of agriculture be provided for in the following manner: The monthly or quarterly crop reports, bulletins, tabular work and other pamphlets, except premium lists, shall be executed under the direction of the supervisor of public printing, and paid for out of the appropriation for state printing; the crop reports to be printed in advance of other matter. The letter heads, envelopes, circulars, blanks, premium lists and other incidental work for said board, shall be executed at the printing department of the deaf and dumb institution. The supervisor of public printing shall, on the written requisition of the superintendent of said institution, provide the necessary paper for the work and report the quantity and quality of the same in his annual report. The trustees of the deaf and dumb institution shall give a detailed exhibit of the work executed for said state board of agriculture, the amount and quality of paper used in said work, and the amount and its quality on hand in their annual report. Senate Joint Resolution No. 22 (vol. 83, O. L., page 411), relative to printing for Ohio State board of agriculture, adopted May 14, 1886, and House Joint Resolution No. 70, relative to the same, adopted January 28, 1887, be and the same are hereby rescinded.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Adopted March 12, 1887.

[House Joint Resolution No. 92].

JOINT RESOLUTION

Requesting Congress to take such action as is necessary to procure the erection of a monument over the grave of ex-President William Henry Harrison, at North Bend, Hamilton county, Ohio.

WHEREAS, The most prominent man connected with the history of the Northwest is that of William Henry Harrison; and

WHEREAS, Throughout his entire active life he was identified with its growth and history, and occupied civil positions from secretary of the Northwest Territory to president of the United States, and held military rank from ensign to major-general and commander of armies; and

WHEREAS, His civil career was conspicuous for purity and unselfish honor, his military service beneficent and uniformly successful in protecting and advancing the interest of his country, a success not to be measured by the number of his soldiers or of their enemies, but rather by the difficulties overcome, and the splendid results that have followed; and

WHEREAS, His name is indelibly stamped upon the pages of the history of our country, and his memorial remains with us, and believing that the people whom he served and those who have entered into his labors should honor themselves and teach an encouraging lesson of patriotism by marking his grave with an imperishable monument and assuming the care of the grounds set apart for his last resting place; therefore,

Be it resolved by the General Assembly of the State of Ohio, (the senate concurring), That we hereby request Congress to take action to erect a suitable monument over the grave of ex-President Harrison, at North Bend, Hamilton county, Ohio, and to fittingly keep and care for the grounds as the property of the nation.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

[Adopted] March 12, [1887.]

[Senate Joint Resolution No. 45].

A RESOLUTION

Relative to directing the adjutant-general to turn over, for the use of Steadman monument at Toledo, condemned piece of artillery ordnance.

Resolved, by the General Assembly of the State of Ohio, That the adjutant-general of the state of Ohio, is authorized and hereby directed to turn over for the use of the Steadman monument at Toledo, any one condemned piece of artillery ordnance, now or hereafter to come into his possession.

DANIEL J. RYAN,

Speaker pro tem. of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Adopted March 16, 1887.

[House Joint Resolution No. 94.]

JOINT RESOLUTION

Authorizing the secretary of state to have two thousand additional copies of the report of the board of managers of the Ohio penitentiary printed for purposes therein named.

Be it resolved by the General Assembly of the State of Ohio, That the secretary of state be and he is hereby authorized to have printed two thousand additional copies of the report of the board of managers of the Ohio penitentiary, and that fourteen hundred of the same be delivered to the board of managers for distribution and six hundred be distributed to the members of the General Assembly.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Adopted March 16, 1887.

[House Joint Resolution No. 95.]

JOINT RESOLUTION

Relative to \$15,000 government donation to agricultural experiment station.

WHEREAS, The Congress of the United States of America, at its recent session made a law to establish experiment stations in connection with the colleges established in the several states, under the provisions of an act approved July second, A. D. 1862, and of the acts supplementary thereto; and

WHEREAS, Said recent act provides that in states having colleges entitled to the benefits of said recent act, and having also agricultural experiment stations, established by law separate from said colleges, such states shall be authorized to apply such benefits to the experiment stations so established by such states; and

WHEREAS, By said recent act the Congress of the United States has appropriated to the State of Ohio, for said purpose, the sum of \$15,000 for the year 1887; and

WHEREAS, The State of Ohio, by an act passed April 17, 1882, and by acts amendatory thereof, has established an agricultural experiment station separate from the college established in this State under the provisions of an act of Congress, approved July 2, A. D. 1862, and of the acts supplementary thereto; therefore,

Resolved by the General Assembly of the State of Ohio, That said fifteen thousand dollars is hereby exclusively applied to the use of said Ohio agricultural experiment station, and shall be controlled and expended by the board of control.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
S. A. CONRAD,
President of the Senate.

Adopted March 16, 1887.

[Senate Joint Resolution No. 54].*

A RESOLUTION

Relative to granting use of canal in Cincinnati during exposition.

Be it resolved by the General Assembly of the State of Ohio, That the use of the Miami and Erie canal, between 12th and 15th streets, in the city of Cincinnati, together with the banks and appurtenances thereto, be granted to the chamber of commerce, the board of trade, and the Ohio mechanics' institute, of Cincinnati, and the commissioners appointed by them, for the purpose of using the same for the centennial exposition of the Ohio valley and central states in the year 1888; said commissioners agreeing that their use and occupation during such period shall not affect the use of said canal, impede navigation, obstruct waters, or in any way interfere with the ordinary business of the canal in any of its departments, and that on December 1st, 1888, they will give up possession of the premises and appurtenances hereby permitted them; and that they will put them in the same, or as good condition as they now are, and that they will be governed in such use by rules to be adopted by the state board of public works.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Adopted March 19, 1887.

*Two copies of a joint resolution marked "Senate Joint Resolution No. 54," were filed by the general assembly in the office of the secretary of state; one, on March 19, the other, on March 21. The one, printed above, is the resolution as originally offered, and which, as is shown by the journals, was adopted by neither house of the general assembly. In some way unknown, however, it was enrolled, signed and filed in the office of the secretary of state. After the introduction of the resolution it was referred to a committee, which, reported a substitute. This substitute was adopted by both houses, and was regularly enrolled, signed and filed. It is printed following this.

[Senate Joint Resolution No. 54].

A RESOLUTION

Relative to granting use of the canal in Cincinnati during exposition.

Be it resolved by the General Assembly of the State of Ohio, That the chamber of commerce, the board of trade and the Ohio mechanics' institute of Cincinnati, and commissioners appointed by them for the centennial exposition of the Ohio valley and Central States, in the year 1888, be allowed to construct light buildings over the Miami and Erie canal between 12th and 15th streets in the city of Cincinnati; said buildings to be supported by strong trestles, the lowest member of which shall be not less than 12 feet above the top water line of said canal. And that they be allowed the use of said canal, under the restrictions of the board of public works, for the purpose of using pleasure boats or gondolas during said exposition. The above privilege to expire and the buildings to be removed on or before December 1, 1888. Provided, that the use of the canal or its banks, or the traffic thereon is in no way interfered with, and

that said exposition commissioners are held liable for any and all damages that may arise either to the canal, its banks, or the traffic thereon by reason of such construction; and further, that all plans and specifications for such buildings and occupancy, shall first receive the approval of the State board of public works, under whose direction they may then be erected and maintained for the purpose and period as above stated.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed [Adopted ?] March 21, 1887.

[Senate Joint Resolution No. 52].

A RESOLUTION

Relative to purchasing a portrait of ex-President James A. Garfield.

Resolved by the General Assembly of the State of Ohio, That the governor of the state be and he is hereby authorized to purchase, for a sum not exceeding five hundred dollars (\$500), the portrait of ex-President James A. Garfield, now on exhibition in the state library, the same to become the property of the state, and to be deposited and appropriately hung in the Capitol building.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Adopted March 21, 1887.

[Senate Joint Resolution No. 50].

A RESOLUTION

Relative to repairing flue in office of the Secretary of State.

WHEREAS, The flue on the south side of the state house, leading to the grate in the book-room of the secretary of state, in the basement of the state house, has been obstructed by [the] building of a wall across the same and above said grate; and

WHEREAS, Said grate when unobstructed furnishes the only means of heating and ventilating said book-room; and the employes therein, during the whole of the past winter, have been without fire or ventilation, and have become seriously ill on account thereof, and are unable longer to

continue working in said book-room without the removal of the obstruction to the said flue; now, therefore,

Be it resolved by the General Assembly of the State of Ohio, That the adjutant-general be and he hereby is empowered and directed to remove said obstruction to said flue, in such manner as to permit the use of said grate for heating and ventilating said book-room in the mode hitherto employed by the secretary of state.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Adopted March 21, 1887.

[Senate Joint Resolution No. 53].

A RESOLUTION

Relative to authorizing the commissioner of railroads and telegraphs to cause certain railroad maps to be printed.

Be it resolved by the General Assembly of the State of Ohio, That in addition to the three thousand railroad maps of Ohio, authorized by section 63, Revised Statutes, to be printed, the commissioner of railroads and telegraphs be and he is hereby authorized to have seven thousand additional maps printed. One thousand of which shall be mounted on paste board, one thousand in pocket edition; provided that in the judgment of the commissioner they are required, and that the total cost shall not exceed five hundred dollars, and that the same be paid out of the printing fund; and provided further, that of the seven thousand additional maps, each member shall receive twelve copies, and the remainder shall be distributed by the commissioner.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

S. A. CONRAD,
President of the Senate.

Adopted March 21, 1887.

[House Joint Resolution No. 57].

JOINT RESOLUTION

Relative to right of way through boys' industrial school farm.

Be it resolved by the General Assembly of the State of Ohio, That the trustees of the boys' industrial school be and they are hereby authorized and empowered to grant and convey a right of way for a main and side track and station house on and through the lands owned by the State of Ohio, and situated in Fairfield county, and known as the boys' industrial school lands, to the Lancaster and Hamden railway company; provided, that such right of way shall not exceed one hundred (100) feet in width, nor shall the road be so located or constructed as in any way to damage the water or water-course used by said institution, and to place sufficient cattle guards and drive ways; and provided, the said right of way shall not be located within 300 yards of the main or family buildings on said lands. And in addition to said right of way there is hereby granted to the said railway company necessary grounds on which to erect, operate and maintain a water-tank, station-house, sheds, dumps, tram-ways, side tracks, switches and all approaches to said buildings, necessary for the receipt and delivery of freight and the transaction of the business of the company at said point. Said tract of land not to exceed five (5) acres; and provided further, that said company will be required to build a siding or switch for the benefit of said industrial school, of such length and at such place as the trustees shall decide, free of expense to the State; and provided further, that said right of way shall be subject to such additional conditions as the trustees of said institution may exact when granted.

JOHN C. ENTREKIN,

Speaker of the House of Representatives.

S. A. CONRAD,

President of the Senate.

Passed [Adopted?] March 21, 1887.

State of Ohio, Office of the Secretary of State, ss:

I, J. S. Robinson, as Secretary of State of the State of Ohio, do hereby certify that the foregoing acts and joint resolutions were printed under and by the authority of the General Assembly of said State, and that the same are true copies, copied from the original rolls on file in this office, of the acts passed and the joint resolutions adopted by the Sixty-seventh General Assembly of the State of Ohio, at its adjourned session, begun and held in the city of Columbus, January 4, 1887, and ended March 21, 1887.

WITNESS my signature and the Great Seal of the State of Ohio, at Columbus, the 30th day of April, A. D. 1887.

[GREAT SEAL]

J. S. ROBINSON,

Secretary of State.

ADDENDUM.

[Senate Bill No. 827].*

AN ACT

To provide for the publication of volume 6, geology of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the several chapters that have been prepared by the state geologist and his assistants, under an act passed May 1, 1885, and an act supplemental to the same, passed May 17, 1886, shall be furnished to the supervisor of public printing on March 1, 1887, in the proper form for publication, and that the same shall be entitled geology of Ohio, volume 6, economic geology.

SECTION 2. There shall be printed of said volume 6, under the contract for state printing, fifteen thousand copies, including such maps and illustrations as shall be furnished by the state geologist for this purpose. These copies shall be printed and bound in the same style as volumes of the series already published, and the printing and proof-reading shall be under the superintendency of the state geologist, for which said state geologist shall receive not exceeding the sum of five hundred dollars (\$500).

SECTION 3. Of the fifteen thousand copies of volume 6 to be published, the following disposition shall be made :

To the state library, one hundred copies.

To the state geologist, four hundred copies.

To each state officer and state institution, one copy.

To be deposited with the secretary of state, to be sold at cost of publication, under such regulations as he may establish, one thousand copies, not more than one copy of which shall be sold to any one person ; the moneys arising from such sales to be credited to the general revenue fund.

The remainder shall be equally divided among the members of the 67th general assembly.

SECTION 4. For the purchase of paper, seventy pounds to the ream, at a rate not to exceed seven cents per pound, for engraving and printing of suitable maps and illustrations, for printing and binding said volume 6, and for cases for maps, there is hereby appropriated from the general revenue fund the sum of fifteen thousand dollars.

SECTION 5. All purchases and disbursements for volume 6 shall be made under the same system by which the volume has been prepared.

SECTION 6. This act shall take effect on its passage.

Speaker of the House of Representatives.

President of the Senate.

Passed ———, 1887.

*Senate bill No. 327 passed both houses of the general assembly, as set forth in the certificates below; but the same, for some reason unknown, was not enrolled, signed and filed in the office of the secretary of state. This fact was not discovered until after the general laws had been printed, when the clerk of the senate filed the copy of the act here printed, in the office of the secretary of state. The following certificates have been made by the clerks of the senate and house:

COLUMBUS, April 20, 1887.

This is to certify, that Senate Bill No. 327, by Mr. Glazier, was introduced in the Senate, January 24, 1887; read the second time January 25, and referred to the Committee on Geological Survey; reported favorably on the 27th day of January by said committee, and engrossed, read the third time, amended and passed, February 15, by a vote of yeas 26, nays 0.

The Senate was notified, on the 11th day of March, that the House of Representatives had concurred in the passage of the bill, amended as follows: In line 19 strike out "four" and insert "one." After the word "copies" in line 19, insert: "not more than one copy of which shall be sold to any one person."

The Senate, on that day, concurred in said amendments by a vote of yeas 24, nays 0.

All of which appears upon the journals of the dates above given.

I further certify that the foregoing is a true and correct copy of said bill as the same was passed by the General Assembly.

Attest:

C. N. VALLANDIGHAM,
Clerk Ohio Senate.

COLUMBUS, O., April 16, 1887.

This is to certify, that Senate Bill No. 327, by Mr. Glazier, was read the first time in the House of Representatives, February 16, 1887; second time, February 22, 1887, and referred to the standing committee on public printing; reported back by said committee on the twenty-fourth day of February, 1887. Said bill was ordered to be read the third time to-morrow.

Said bill was read the third time March 8, 1887. The question being shall the bill pass?

Mr. Hull moved to refer the bill to a select committee of one, with instructions to amend as follows: in line 19 strike out "four" and insert "one."

Mr. Brumback moved to amend the instructions as follows: strike out "one thousand" and insert "two thousand,"

Which was disagreed to.

The question, recurring on the motion of Mr. Hull, to refer said bill to a select committee of one, with instructions to amend. It was agreed to. Mr. Hull was appointed such committee, who reported the bill amended as instructed.

Mr. Ingman moved to refer the bill to a select committee of one, with instructions to amend as follows: After the word "copies" in line 19, insert "not more than one copy of which shall be sold to any one person."

Which was agreed to.

Mr. Ingman was appointed such committee, who reported the bill amended as instructed.

The question being, shall the bill pass?

The yeas and nays were taken, and resulted yeas 75, nays 2.

So the bill passed. The title was agreed to.

The following message was received from the Senate March 15, 1887. The Senate has concurred in the amendments of the House of Representatives to Senate Bill No. 327, Mr. Glazier.

Attest:

C. N. VALLANDIGHAM,
Clerk.

All of which appears on the journals of the House of Representatives of the dates herein given.

Attest:

DAVID LANNING,
Clerk of the House of Representatives.

TIMES OF HOLDING THE CIRCUIT COURTS AND COURTS OF COMMON PLEAS IN OHIO
IN 1887.

Counties.	County Seats.	Circuita.	Circuit Courts.	Districts.	Sub-divisions.	Common Pleas Courts.
Adams.....	West Union	4	April 5, Nov. 17.....	5	1	Jan. 11, May 10, Oct. 4.
Allen.....	Lima.....	3	June 7, Nov. 22.....	3	1	Feb. 1, May 2, Oct. 10.
Ashland.....	Ashland.....	5	April 12, Nov. 22.....	6	2	Feb. 28, Sept. 19, Dec. 5.
Ashtabula.....	Jefferson.....	7	March 15, Oct. 18.....	8	3	Jan. 10, April 4, Oct. 31.
Athens.....	Athens.....	4	Jan. 24, Oct. 1.....	7	3	Feb. 7, May 2, Nov. 7.
Auglaize.....	Wapakoneta.....	3	March 15, Oct. 6.....	3	1	Jan. 4, April 11, Sept. 12.
Belmont.....	St. Clairsville.....	7	June 15, Dec. 14.....	8	2	Feb. 8, April 26, Oct. 4.
Brown.....	Georgetown.....	4	April 11, Nov. 21.....	5	1	Feb. 15, May 17, Nov. 15.
Butler.....	Hamilton.....	1	April 11, Oct. 10.....	2	1	Jan. 10, May 2, Oct. 10.
Carroll.....	Carrollton.....	7	Feb. 1, Sept. 28.....	8	1	Jan. 4, April 26, Oct. 11.
Champaign.....	Urbana.....	2	May 2, Oct. 31.....	2	2	Jan. 10, May 9, Oct. 3.
Clarke.....	Springfield.....	2	June 20, Dec. 15.....	2	3	Jan. 10, May 2, Oct. 3.
Clermont.....	Batavia.....	1	April 5, Oct. 3.....	5	1	Jan. 25, May 31, Nov. 15.
Clinton.....	Wilmington.....	1	May 9, Oct. 31.....	2	3	Jan. 10, May 16, Oct. 3.
Columbiana.....	New Lisbon.....	7	Jan. 18, Sept. 22.....	9	1	Jan. 31, May 16, Oct. 31.
Coshocton.....	Coshocton.....	5	April 26, Nov. 9.....	6	3	Jan. 4, March 8, Sept. 20.
Crawford.....	Bucyrus.....	3	Jan. 25, Sept. 27.....	10	2	Jan. 3, April 5, Sept. 12.
Cuyahoga.....	Cleveland.....	6	Jan. 4, Sept. 13.....	4	3	Jan. 3, April 5, Sept. 19.
Darke.....	Greenville.....	2	May 10, Nov. 9.....	2	1	Jan. 10, May 16, Oct. 10.
Defiance.....	Defiance.....	3	April 26, Nov. 15.....	3	2	Jan. 24, May 2, Oct. 10.
Delaware.....	Delaware.....	5	May 31, Dec. 13.....	6	1	Jan. 3, April 11, Sept. 26.
Erie.....	Sandusky City.....	6	June 16, Nov. 28.....	7	1	Feb. 14, May 2, Oct. 24.
Fairfield.....	Lancaster.....	5	Jan. 11, Sept. 6.....	7	1	Jan. 24, April 18, Oct. 24.
Fayette.....	Washington C.H.....	2	May 23, Nov. 21.....	5	2	Feb. 14, May 2, Nov. 21.
Franklin.....	Columbus.....	2	Jan. 10, Sept. 21.....	8	3	Jan. 10, April 11, Sept. 19.
Fulton.....	Wauseon.....	3	April 12, Oct. 27.....	3	3	Feb. 28, June 6, Nov. 14.
Gallia.....	Gallipolis.....	4	March 1, Oct. 24.....	7	3	Jan. 3, March 28, Sept. 5.
Geauga.....	Chardon.....	7	March 1, Oct. 4.....	9	3	Jan. 10, April 4, Oct. 31.
Greene.....	Xenia.....	2	April 5, Oct. 10.....	2	3	Jan. 10, May 2, Oct. 17.
Guernsey.....	Cambridge.....	7	June 9, Dec. 8.....	8	1	Feb. 15, April 26, Oct. 18.
Hamilton.....	Chillicothe.....	1	Jan. 3, Nov. 14.....	1	1	Jan. 3, May 9, Nov. 7.
Hancock.....	Findlay.....	3	March 1, Oct. 18.....	10	1	Feb. 21, May 23, Oct. 31.
Hardin.....	Kenton.....	8	Feb. 25, Oct. 11.....	10	1	Jan. 17, April 18, Sept. 16.
Harrison.....	Cadiz.....	7	May 31, Nov. 29.....	8	3	Jan. 4, March 28, Sept. 6.
Henry.....	Napoleon.....	3	April 19, Nov. 1.....	8	3	Jan. 4, March 29, Sept. 6.
Highland.....	Hillsborough.....	4	April 26, Nov. 28.....	5	2	Jan. 10, April 5, Oct. 17.
Hocking.....	Loran.....	4	Feb. 3, Oct. 5.....	7	1	Feb. 14, May 9, Nov. 14.
Holmes.....	Milledburg.....	5	April 19, Nov. 1.....	6	3	Feb. 7, April 4, Nov. 14.
Huron.....	Norwalk.....	6	May 31, Dec. 21.....	4	1	Feb. 21, May 16, Nov. 7.
Jackson.....	Jackson.....	7	June 1, Dec. 20.....	7	2	Feb. 21, May 16, Nov. 14.
Jefferson.....	Steubenville.....	7	May 24, Nov. 22.....	8	3	Jan. 11, April 5, Sept. 20.
Knox.....	Mt. Vernon.....	5	March 8, Oct. 4.....	6	1	Feb. 15, June 7, Nov. 8.
Lake.....	Painesville.....	7	Feb. 8, Oct. 6.....	9	3	Feb. 28, May 9, Nov. 28.
Lawrence.....	Ironton.....	4	March 15, Oct. 31.....	7	2	March 21, June 6, Nov. 21.
Licking.....	Newark.....	5	March 22, Oct. 11.....	6	1	Feb. 14, May 2, Oct. 3.
Logan.....	Bellfontaine.....	3	Feb. 15, Sept. 21.....	10	3	Jan. 10, April 4, Sept. 12.
Lorain.....	Elyria.....	6	May 23, Dec. 12.....	4	2	Jan. 31, April 11, Oct. 3.
Lucas.....	Toledo.....	6	March 15, Oct. 25.....	4	1	Jan. 3, April 11, Sept. 26.
Madison.....	London.....	7	April 14, Oct. 17.....	5	3	March 2, June 1, Nov. 9.
Mahoning.....	Youngstown.....	7	April 26, Nov. 9.....	9	2	Jan. 3, May 2, Sept. 5.
Marion.....	Marion.....	7	Jan. 18, Sept. 13.....	10	2	Feb. 7, May 2, Oct. 17.
Medina.....	Medina.....	6	May 19, Oct. 19.....	4	2	Jan. 8, March 14, Sept. 18.
Melgs.....	Pomeroy.....	4	Feb. 17, Oct. 19.....	7	3	Jan. 17, April 4, Sept. 5.
Mercer.....	Celina.....	4	May 24, Dec. 1.....	3	1	Feb. 28, June 6, Nov. 14.
Miami.....	Troy.....	2	April 18, Oct. 20.....	2	2	Jan. 10, May 2, Oct. 3.
Monroe.....	Woodsfield.....	4	Jan. 12, Sept. 22.....	8	2	Mar. 15, June 14, Nov. 22.
Montgomery.....	Dayton.....	2	June 8, Dec. 5.....	2	1	Jan. 10, May 2, Oct. 3.
Morgan.....	McConnellsville.....	5	May 10, Oct. 18.....	8	1	Mar. 15, June 14, Sept. 27.
Morrow.....	Mt. Gilead.....	5	May 24, Dec. 6.....	6	2	Jan. 17, April 18, Oct. 31.
Muskingum.....	Zanesville.....	5	April 5, Oct. 25.....	8	1	Jan. 4, April 12, Nov. 14.
Noble.....	Caldwell.....	7	June 7, Dec. 6.....	8	1	Jan. 4, April 5, Sept. 27.
Ottawa.....	Port Clinton.....	6	June 27, Oct. 20.....	4	1	Jan. 10, April 5, Oct. 3.
Paulding.....	Paulding.....	3	May 10, Nov. 17.....	3	2	Jan. 3, April 4, Sept. 5.
Perry.....	New Lexington.....	5	May 17, Nov. 29.....	7	1	March 7, May 30, Oct. 17.
Pickaway.....	Circleville.....	4	May 4, Dec. 5.....	5	3	Jan. 4, April 19, Sept. 20.
Pike.....	Waverly.....	4	May 23, Dec. 16.....	7	2	Jan. 31, April 25, Oct. 10.
Portage.....	Ravenna.....	7	March 8, Oct. 25.....	9	2	Jan. 3, May 2, Sept. 5.
Preble.....	Eaton.....	2	May 19, Nov. 17.....	2	1	Feb. 14, June 6, Nov. 21.

TIMES OF HOLDING THE CIRCUIT COURTS AND COURTS OF COMMON PLEAS, ETC.—
Continued.

Counties.	County Seats.	Circuit.	Circuit Courts.	Districts.	Sub-divisions.	Common Pleas Courts.
Putnam.....	Ottawa.....	3	May 31, Dec. 6.....	3	3	Jan. 31, May 2, Oct. 10.
Richland.....	Mansfield.....	5	Jan. 25, Sept. 13....	6	2	April 5, Sept. 19, Dec. 5.
Ross.....	Chillicothe.....	4	May 12, Dec. 9.....	5	2	Jan. 10, April 5, Oct. 17.
Sandusky.....	Fremont.....	6	June 7, Dec. 5.....	4	1	Jan. 3, April 4, Sept. 19.
Scioto.....	Portsmouth.....	4	March 22, Nov. 10....	7	2	Feb. 14, May 2, Oct. 10.
Seneca.....	Tiffin.....	3	March 22, Dec. 13....	10	1	Jan. 17, April 11, Sept. 19.
Shelby.....	Sidney.....	3	April 28, Oct. 27....	3	1	Jan. 3, March 21, Sept. 12.
Stark.....	Canton.....	3	Feb. 23, Sept. 27....	9	1	Jan. 3, May 2, Sept. 19.
Summit.....	Akron.....	6	May 9, Dec. 18.....	4	2	Jan. 10, May 23, Sept. 12.
Trumbull.....	Warren.....	7	April 5, Oct. 28.....	9	2	Feb. 14, May 30, Oct. 17.
Tuscarawas.....	New Philadelphia.....	5	May 3, Nov. 15.....	8	3	Feb. 1, April 19, Sept. 27.
Union.....	Marysville.....	3	Feb. 8, Oct. 4.....	10	3	Feb. 21, May 10, Oct. 24.
Van Wert.....	Van Wert.....	3	May 17, Nov. 20....	3	1	Jan. 24, May 9, Oct. 10.
Vinton.....	McArthur.....	4	Feb. 9, Oct. 12.....	7	2	Jan. 10, April 5, Sept. 12.
Warren.....	Lebanon.....	1	May 2, Oct. 24.....	2	3	Jan. 10, May 9, Oct. 17.
Washington.....	Marietta.....	4	Jan. 17, Sept. 26....	7	3	Jan. 24, April 22, Oct. 3.
Wayne.....	Wooster.....	5	Feb. 8, Sept. 21.....	6	3	Mar. 7, Sept. 12, Nov. 28.
Williams.....	Bryan.....	3	April 5, Oct. 25.....	3	2	Feb. 28, June 6, Nov. 14.
Wood.....	Bowling Green.....	3	March 8, Oct. 20.....	10	1	Feb. 21, May 23, Nov. 10.
Wyandot.....	Upper Sandusky.....	3	Feb. 1, Sept. 15.....	10	2	Mar. 7, May 30, Nov. 14.

THE STATE OF OHIO,

OFFICE OF THE SECRETARY OF STATE.

I, J. S. ROBINSON, as Secretary of State of the State of Ohio, do hereby certify that the foregoing is a correct statement of the times of holding the Circuit Courts and Courts of Common Pleas in the several counties of the State of Ohio, in the year 1887, taken from the official lists returned by the judges of said courts to this office, as amended by the Sixty-seventh General Assembly, at its adjourned session.

WITNESS my hand and official seal, this 30th day of April, A. D. 1887.

[SEAL.]

J. S. ROBINSON,

Secretary of State.

INDEX TO GENERAL ACTS.

	PAGE
ACADEMY—	
organic rules which may be prescribed in articles of incorporation.....	31
ACKNOWLEDGMENT—	
of conveyances.....	133
separate by married woman abolished.....	133
ADAMS COUNTY—	
time of holding common pleas court changed.....	42
ADDITIONAL JUDGE—	
election of in second judicial district	176
repealing section 1 of an act relating to second judicial district.....	229
ADJUTANT-GENERAL—(See <i>State House and Grounds</i> .)	
distribution of published volumes of soldiers' roster.....	14
appropriations.....	18, 177, 190
salary of himself and assistant.....	108
ADMINISTRATORS—(See <i>Executors</i> .)	
ADULTERATION—	
of vinegar.....	216
AFRICAN—	
black laws repealed.....	34
AGRICULTURE—(See <i>State Board of</i> .)	
Morgan county agricultural society.....	4
appropriation for encouragement of.....	19
nuisances near a fair	70
Madison county fair grounds.....	79-80
commissioners may assist societies in purchasing fair sites, &c	230
AGRICULTURAL EXPERIMENT STATION—	
appropriation.....	192
ALDERMEN—(See <i>Board of Aldermen</i> .)	
ALLEN, WILLIAM—	
appropriation for statue	201
ANIMALS—	
act for suppression of certain diseases.....	90
ANNUAL LAWS—	
style of printing.....	12
APPRENTICESHIP—	
indentures of.....	45
APPROPRIATION OF PRIVATE PROPERTY—	
by municipal corporations	66-7, 89
for city hall in Cincinnati	89, 247
of materials for construction or repair of approaches to bridges..	172-3
APPROPRIATIONS—	
for common schools.....	8
legislative deficiency appropriation	15
partial for state departments, institutions, &c.....	18
to pay claims of W. H. Beery and estate of John Hole, deceased.....	37
for Ohio soldiers' and sailors' home	68
to pay public debt, &c	74
for sinking fund commissioners.....	74-5
for correction of Virginia military land records.....	88
normal department, Wilberforce university.....	128-9
to pay part of public debt.....	168
deficiency for state departments, institutions, &c.....	177

APPROPRIATIONS—Continued.	PAGE
general for state departments, institutions, &c.....	190
for contingent expenses of house of representatives.....	219
for Daniel J. Dalton.....	228
for house contingent fund deficiencies.....	248
for geology of Ohio, volume 6.....	454-5
ARBITRATION—	
of disputed claims of sub-contractor for work and labor.....	49
ARMORIES—	
erection of in certain cities.....	8, 71
ART ASSOCIATIONS—	
articles of incorporation.....	31
ARTICLES OF INCORPORATION—	
organic rules which may be inscribed in certain.....	31
ASHTABULA—	
improvement of street.....	91
ASSESSMENT—(See <i>Taxation</i> .)	
ASSIGNMENT—	
of dower.....	136
ASSIGNMENTS—	
priority of laborer or material man's lien over.....	50-51
ASYLUMS FOR THE INSANE—	
names of the several.....	203
asylum districts.....	203-4
transfer of patients.....	204
expense of transfer.....	204
ATHENS ASYLUM FOR INSANE—	
appropriations.....	23, 179, 195
salaries of officers and teachers.....	108
name of.....	203
counties composing district.....	204
transfer of patients to other asylums.....	204
ATTACHMENT—	
filing of petition in error to reverse order discharging.....	13
undertaking.....	13
priority of laborer or material man's lien over.....	50, 46-51
certain payments exempt from.....	106
ATTORNEY-GENERAL—	
to bring certain suits.....	5
appropriations.....	19, 178, 191
correction of Virginia Military land records.....	88
salary.....	108
to approve certain notices.....	249
AUDITOR OF STATE—	
appropriations.....	19, 178, 191
correction of Virginia Military Land records.....	88
salary of.....	108
duty in regard to appropriations.....	203
BEERY, WM. H.—	
appropriation to pay claim of.....	37
granting lands to.....	37
BENEVOLENT SOCIETIES—	
membership in incorporated.....	85
BILL OF EXCEPTIONS—	
before justice of the peace in summary convictions.....	44
by defendant in criminal trial.....	45
by prosecuting attorney.....	45
presentment for allowance in civil cases.....	70
"BLACK LAWS"—	
repeal of.....	34

	PAGE
BLANKNER, FREDERICK—	
appropriations.....	181, 201
BLIND—(See <i>Ohio Institution for the Blind; Working Home for the Blind.</i>)	
BOARD OF AGRICULTURE—(See <i>State Board, etc.</i>)	
BOARD OF ALDERMEN—	
in cities of first class.....	125-8
BOARD OF COUNCILMEN—	
in municipalities.....	125-6
BOARD OF EDUCATION—(See <i>Schools.</i>)	
BOARD OF EQUALIZATION—(See <i>Cincinnati.</i>)	
BOARD OF HEALTH—(See <i>State Board of Health.</i>)	
Dayton and Columbus.....	172
BOARD OF LADY VISITORS—	
O. S. and S. O. H.: partial appropriation.....	24
BOARD OF POLICE COMMISSIONERS—(See <i>Cincinnati; Dayton.</i>)	
BOARD OF PUBLIC AFFAIRS—(See <i>Cincinnati.</i>)	
BOARD OF PUBLIC WORKS—	
appropriations.....	178, 202
BOARD OF REVISION—	
its powers and duties.....	32
BOARD OF STATE CHARITIES—	
appropriations.....	181, 191
BOARDS OF TRADE—	
may lease or erect buildings and issue bonds.....	33
BOAT—(See <i>Watercraft.</i>)	
BOUNDARIES—	
of wards.....	6
BOYS' INDUSTRIAL SCHOOL—	
appropriations.....	23, 179, 198
nuisances near.....	70
salary of superintendent, &c.....	108
BRIDGES—(See <i>Lien; Eminent Domain; Dayton.</i>)	
construction of approaches to county.....	172
materials.....	172
appropriation of stone, &c.....	172-4
duty of township trustees.....	173
taxation for county.....	224
BRUSH, J. P.—	
appropriation for pension of family of.....	201
BUILDINGS—(See <i>Lien.</i>)	
act regulating construction and plumbing of in Cincinnati.....	143-166
Cincinnati inspector.....	143-166
BUSHEL—	
standard weight of.....	16
BUTTER—	
act restricting sale, etc., of artificial.....	182
CABLE RAILWAY—	
interfering with property of.....	81
CANAL—(See <i>Eminent Domain.</i>)	
C'EMETERIES—(See <i>Eminent Domain; Soldiers' Memorial Association.</i>)	
sale of lots, laying of and embellishing of grounds.....	84
donations.....	84
managing trustee.....	84
CENTRAL ASYLUM FOR THE INSANE—(See <i>Columbus Asylum, etc.</i>)	
CHALLENGES—	
defendant's in criminal case.....	86
CHAMBERS OF COMMERCE—	
may lease or erect buildings and issue bonds.....	33

CHANGE OF VENUE—	PAGE
in common pleas court, when judge is interested.....	129
CHEESE—	
act restraining sale, etc., of artificial.....	182
CHEMICALS—	
who may and may not compound.....	220-221
CHILDREN'S HOME—	
support in, of children entitled to admission to O. S. and S. O. H.....	174
CHURCH—	
membership in incorporated religious societies.....	85
CINCINNATI—(See <i>Hamilton County</i> .)	
requiring liquor tax to be paid to.....	9
redemption of obligations of previous year by board of public affairs,	
board of police commissioners and city infirmary directors.....	9
excess infirmary funds applied to police purposes.....	9
assessment of cost of laying water mains.....	10
payment of extra compensation to members of board of equalization..	12
removal of members of board of public affairs.....	14
police court.....	27
trunk sewers.....	75-77
sale of southern railway.....	82-83
improvement of lower river road.....	87-88
payment for turnpikes heretofore appropriated.....	89
city hall.....	95-99, 243-48
issue of bonds for work-house debts and improvements.....	113
amended registration and election law.....	119
legal residence of inmates of city infirmary.....	124
aldermanic districts.....	125
board of aldermen and councilmen.....	125-6
act regulating the construction and plumbing of buildings.....	143-166
building inspector.....	143-166
new pumping engines for water-works.....	167
board of education.....	184-5
appointment and removal of teachers.....	185
primary elections.....	189
bridge and road fund payable to.....	225
public contracts, how made and awarded.....	233-4
detective force.....	241
compensation of officers and members of police force.....	242
CIRCUIT COURT—	
filing of petition in error to reverse order discharging attachment.....	13
appropriation for salary of judges.....	20
power to grant injunctions.....	36
additional salaries of judges in Hamilton county.....	213
Hamilton county, payment of certain court costs.....	228
examination of fugitive from justice of other state.....	228-9
appointment of trustees to manage funds of non-residents, etc.....	232-3
division of state into eight circuits.....	240
judges of the third, sixth and eighth circuits.....	240-41
election of judges in certain circuits.....	240
times of holding court in 1888 in sixth and eighth circuits.....	241
CITIES—(See <i>Municipal Corporations</i> .)	
CITY HALL—(See <i>Cincinnati</i> .)	
CITY SOLICITOR—(See <i>Municipal Corporations</i> .)	
CIVIL PROCEDURE—	
when exceptions must be taken and reduced to writing.....	69
when bill of exceptions must be presented for allowance.....	70
change of venue in common pleas court when judge is interested.....	129
appointment of trustees to manage funds of non-residents, etc.....	232-3
CLAIMS—(See <i>War Claims</i> .)	
CLERK OF THE COURT OF COMMON PLEAS—(See <i>Court of Common Pleas</i> .)	

CLERK OF ELECTION—	PAGE
fees of.....	217
CLERK OF POLICE COURT—	
his powers, bond, compensation, etc.....	27
CLERK OF SUPREME COURT—	
appropriations.....	22
salary.....	109
CLERMONT COUNTY—	
time of holding common pleas court changed.....	42
CLEVELAND—(See <i>Cuyahoga County</i> .)	
police court.....	27
providing for the cleaning and repair of streets, etc.....	67-8
" " manual training in schools.....	92
salaries of officers and members of fire department.....	107
" " " " " " police ".....	110
amended registration and election law.....	119
aldermanic districts.....	125
board of aldermen and councilmen.....	125-6
legislative power vested in council.....	125
election of aldermen.....	125-6
" " councilmen.....	128
board of education.....	184-5
bridge and road fund payable to.....	225
CLEVELAND ASYLUM FOR THE INSANE—	
appropriations.....	23, 179, 196
salaries.....	108
name of.....	203
counties comprising district.....	203
transfer of patients to other asylums.....	204
COLLEGES—	
organic rules which may be prescribed in articles of incorporation.....	31
COLLUSION—	
in payments made principal contractor.....	51
effect on right to dower.....	135
COLOR—	
"black laws repealed".....	34
COLUMBUS—(See <i>Franklin County</i> .)	
authorized to purchase pumping engines.....	11
" " finish and equip engine houses.....	11
power of school board to donate certain land for park purposes.....	108
issue of trunk sewer bonds.....	111
registration and election law.....	119
abolition of sanitary police.....	172
inapplicability of certain statute to street improvements.....	176
board of education.....	184-6
COLUMBUS ASYLUM FOR THE INSANE—	
appropriations.....	23, 179, 196
nuisances near.....	70
salaries.....	108
name of.....	203
counties comprising district.....	203
transfer of patients to other asylums.....	204
COLUMBUS, HOCKING VALLEY AND TOLEDO R. R. CO.—	
appropriation.....	181
COMMISSIONER OF COMMON SCHOOLS—(See <i>State Commissioner</i> .)	
COMMISSIONER OF LABOR STATISTICS—	
appropriations.....	19, 192
salary.....	109
COMMISSIONER OF RAILROADS AND TELEGRAPHS—	
appropriations.....	19, 192
salary.....	109

COMMISSIONERS—(See <i>County Commissioners.</i>)	PAGE
COMMISSIONERS OF THE SINKING FUND—	
appropriation for expenses.....	74-5
authorized to issue bonds and borrow money.....	167
COMMON SCHOOLS—(See <i>Schools.</i>)	
CONSENT—	
age of.....	65
CONSOLIDATION—	
of railway companies; authorizing curing of defects in certain agree- ments for.....	3, 29
CONSTABLES—	
to obey orders of live stock commissioners.....	90
CONTEST—	
of election of justice of the peace.....	44
of election of county officer.....	45
of will, powers of executor, etc., during	174-5
payment of court costs of Hamilton county senatorial.....	278
CONTRACTOR—	
lien for labor and material, etc.....	46-51
CONVENTION—	
unlawful to give proxy to represent at political.....	189
CONVEYANCES—	
execution and acknowledgment of.....	133
of married woman.....	133
CORONER—	
fees of.....	210
CORPORATION—(See <i>the several corporations; Municipal Corporations.</i>)	
authorizing curing of defects in certain railway consolidations.....	3, 29
special reports required of certain insurance companies.....	5
laws made applicable to electric light companies.....	7
joinder of soldiers' memorial association with county commissioners in erection of certain buildings.....	8
organic rules which may be prescribed in certain articles of incorpora- tion.....	31
boards of trade and chambers of commerce may lease or erect buildings	33
library associations; appointment of librarian.....	34
regulation of gas companies in municipalities.....	39
terms of construction and operation of street railways.....	40
protection of railway property.....	81
sale of Cincinnati Southern Railway	82
power of trustees over cemeteries.....	84
membership in corporations not for profit.....	85
elections; appointment of inspectors.....	115
companies for insurance against sickness, accidental loss of life, etc.....	130
reorganization agreements of railway companies	142
for apprehension and conviction of horse thieves and other felons...	169-170
soldiers' memorial association may hold, etc., real estate.....	173
Ohio humane society and its branches.....	207-8
payment of wages bi-monthly to certain employees.....	214
CORPSE—(See <i>Dead Body.</i>)	
COUNCIL—(See <i>Municipal Corporations.</i>)	
in municipalities.....	125-6
COUNTY AUDITOR—	
payment of expenses of burying the unclaimed dead.....	29
relief of indigent soldiers.....	38, 100-1
sale of swamp lands.....	42
refunder of taxes.....	43
apportionment of county ditch assessments.....	51
duty as to tax on foreign insurance companies in certain counties.....	103-4
repair of damaged highways	187-8
fees of judges and clerks of election.....	217

COUNTY AUDITOR—Continued.

PAGE

township road and bridge fund, etc.....	226
location and construction of joint inter-state county ditches.....	235-9
COUNTY COMMISSIONERS—(See <i>Hamilton County</i> .)	
when may join in erection of armories and memorial buildings.....	8, 71
Montgomery authorized to straighten and improve ditches.....	26
vacation of parts of county roads.....	25
burial of unclaimed dead by township trustees at county expense.....	29
relief of indigent soldiers, etc.....	38, 100
duty as to claims for work on swamp lands.....	42-3
refunder of taxes.....	43
duty as to appointment of surveyors and engineers in Lucas county.....	46
mechanic and material man's lien.....	46-51
re-apportionment of county ditch assessments.....	51
Madison county fair grounds.....	79-80
reimbursement of certain corporations for expense of apprehending felons, etc.....	169-70
construction of approaches to county bridges.....	172-3
repair of damaged highway, tax for.....	187-8
appointment of sheriff.....	208
power to receive bequests, etc., for educational purposes.....	211
application of trust funds.....	211-212
additional salaries of judges in Hamilton county.....	213-214
levy of tax for Harrison monument in Hamilton county.....	221
may assist agricultural societies in purchasing fair sites, etc.....	230
allowance of damages for sheep killed or injured by dogs.....	231-2
location and construction of joint inter-state county ditches.....	235-9
COUNTY DITCHES—(See <i>Drainage</i> .)	
COUNTY OFFICERS—(See <i>the several officers</i> .)	
contest of election.....	45
COUNTY RECORDER—	
mechanic and material man's lien.....	46-51
recording of powers of attorney.....	133-4
COUNTY SURVEYOR—(See <i>Surveyor</i> .)	
COUNTY TREASURER—	
of Hamilton county, required to pay to Cincinnati its share of liquor tax.....	9
apportionment of county ditch assessments.....	51
COURT OF COMMON PLEAS—	
petition in error reversing order discharging attachment.....	13
appropriation for salary of judges.....	20
appointment of law librarians.....	34
granting of injunctions.....	36
appointment of soldiers' relief commission.....	38, 100
duty of clerk when improper list of jurors has been returned.....	41
times of holding in Adams and Clermont counties changed.....	42
contest of county office.....	45
bills of exception in criminal cases.....	45
claim of occupying claimant for improvements.....	45
exceptions in civil cases.....	69
bill, its presentment for allowance.....	69-70
recognizance of person indicted for misdemeanor.....	73
salaries of judges.....	108
appointment of inspectors for corporate elections.....	115
change of venue when judge is interested.....	129
commitment of persons to work-house.....	140
election of additional judge in second judicial district.....	176
additional salaries of judges in Hamilton county.....	213
examination of fugitive from justice of other state.....	228-9
repealing section one of an act relating to second judicial district.....	229
appointment of trustees to manage funds of non-residents, etc.....	232-3

CREAMERY—	PAGE
act for protection of products of.....	182
CRIMES AND OFFENSES—(See <i>Criminal Procedure</i> .)	
failure of certain insurance companies to make a special report.....	5
unlawful sexual intercourse.....	43
rape.....	65
selling intoxicating liquors or keeping house of ill-fame near, &c.....	70
unlawful meddling with railway property.....	81
throwing or shooting at trains, vessels, etc.....	81
having possession of diseased animals, etc.....	90
conveying into prison things with intent to aid escape.....	91
conveying letters into or from prison contrary, etc.....	92
switching of ballots in certain cities.....	122
having possession of tickets, etc.....	122
unlawful catching and killing of game.....	168-9
giving of proxy by delegate to political convention.....	189
failure of judge or clerk to serve at primary election.....	190
obtaining unlawful registry or transfer in herd-book.....	213
failure to pay wages bi-monthly in certain cases.....	214
adulteration, etc., of vinegar.....	216
violating laws relating to sale of drugs.....	220
unlawful catching and killing of fish.....	222, 223
illegal employment of minors.....	249
CRIMINAL PROCEDURE—	
bill of exceptions in summary convictions before justice.....	44
bill of exceptions by defendant in criminal trial.....	45
bill of exceptions by prosecuting attorney.....	45
recognizance of person indicted for misdemeanor may be taken by officer.....	78
commitment of girl to industrial home.....	77-8
peremptory challenges by defendant.....	86
confinement in work-house.....	139-141
who may attend execution of death penalty.....	211
venue in cases of false registry or transfer in herd-books.....	213
concurrent criminal jurisdiction of probate court.....	227
surrender of fugitive from justice of other state.....	228-9
CURTESY—	
estate by, abolished; vested rights.....	136
CUYAHOGA COUNTY—(See <i>Cleveland</i> .)	
selection of jurors.....	93-4
disposition of dog tax.....	232
DAIRY AND FOOD COMMISSIONER—(See <i>Ohio Dairy, etc.</i>)	
DAIRY PRODUCTS—	
act restraining sale, etc., of artificial.....	182
DALTON, DANIEL J.—	
appropriation.....	228
DAYTON—	
an act establishing an efficient and non-partisan police force.....	52-63
issue of bridge bonds.....	73, 215
issue of water-works improvement bonds.....	78
registration and election law.....	119
public library board.....	171
board of education.....	184-6
election of city solicitor by council.....	219
bridge and road fund.....	225-6
DAYTON ASYLUM FOR THE INSANE—	
appropriations.....	23, 180, 196
nuisances near.....	70
salaries.....	109
name of.....	203
counties composing district.....	204
transfer of patients to other asylums.....	204

	PAGE
DEAD BODY—	
burial of unclaimed.....	26
DEAF AND DUMB—(See <i>Institution for, etc.</i>)	
DEATH PENALTY—	
who may attend execution of.....	211
DEBT—(See <i>Public Debt.</i>)	
DEEDS—	
execution and acknowledgment of.....	133
married women.....	133
DEFENDANT—	
his bill of exceptions in criminal trial.....	45
DELEGATE—	
may not give proxy to political convention.....	189
DESCENT AND DISTRIBUTION—	
of personal estate.....	134
DETECTIVES—(See <i>Dayton ; Cincinnati.</i>)	
DITCHES—(See <i>Drainage.</i>)	
DOGS—	
allowance of damages for sheep killed or injured by.....	231-
DOVES—	
catching and killing of.....	168-9
DOWER—	
estate of husband or wife in estate of the other.....	135-6
conveyance in lieu of.....	135
defective conveyance.....	135
eviction from premises conveyed.....	135
when person is barred of dower by dwelling in adultery..	135
when lands are given up by fraud or collusion.....	135
effect of waste.....	134, 135
assignment of.....	136
"DOW LAW"—	
amendment to.....	224
DRAINAGE—(See <i>Eminent Domain.</i>)	
Montgomery county commissioners authorized to protect the public	
against dangerous waters	28
to straighten ditches, etc.	26
mechanic and material man's lien.....	47
apportionment of county ditch assessment in case of sub-division of lands	51
re-apportionment.....	51
repair of drains in Cleveland.....	67
Cincinnati trunk sewers.....	75-77
Columbus trunk sewers.....	111
power to fence up ditches along improved roads (Logan county).....	175
location and construction of inter-state county ditches.....	235-9
DRUGS—	
unlawful sale, etc., of.....	220
DUCK—	
catching and killing of wild.....	168-9
ELECTIONS—(See <i>Primary Elections.</i>)	
of members Morgan county agricultural society board.....	4
police judge.....	28
question of issuing bonds for market houses in certain cities.....	31
trial of contest of election of justices of the peace.....	44
testimony heard in contests of county offices.....	45
duty of Dayton police at.....	62
interference in.....	62-63
sale of Cincinnati Southern Railway.....	82-3
trustees of firemen's pension fund.....	102
corporate; appointment of inspectors.....	115
registration law for certain cities.....	119
legal residence of inmates of Cincinnati city infirmary.....	124

ELECTIONS—Continued.	PAGE
councilmen and aldermen in municipalities.....	125-6
of additional judge in second judicial district.....	176
primary	188-9
fees of judges and clerks.....	217
voting on question of erecting Harrison monument..	221
ELECTRIC LIGHT AND POWER COMPANIES—	
laws made applicable to.....	7
EMINENT DOMAIN—(See <i>Appropriation of Private Property.</i>)	
appropriation of private property by municipal corporations.....	66-7
EMPLOYES—(See <i>Lien.</i>)	
payment of wages bi-monthly to certain	214
employees under eighteen in factories.....	249
ENGINEER—	
appointment of in Lucas county.....	46
ERROR—(See <i>Bill of Exceptions.</i>)	
petition in to reverse order discharging attachment.....	13
EXCEPTIONS—(See <i>Bill of Exceptions.</i>)	
when they must be taken and reduced to writing, etc	69
EXECUTION—	
priority of laborer or material man's lien over.....	50-51
certain payments exempt from.....	106
EXECUTIVE—(See <i>Governor.</i>)	
EXECUTORS AND ADMINISTRATORS—	
mechanic and material man's lien	47
distribution of personal estate.....	134
with will annexed, powers of during contest of will.....	174-5
may settle guardian's account, when.....	204-5
EXEMPTION LAWS—	
do not apply as against lien of mechanic, etc.....	47
FACTORIES—	
illegal employment of minors in.....	249
FAIR—	
nuisances near an agricultural	70
Madison county grounds.....	79-80
commissioners may assist agricultural society in purchasing site, etc.....	230
FALSE PRETENSE—	
obtaining registry in herd book by.....	213
FEEBLE-MINDED YOUTH—(See <i>Institution for.</i>)	
FEES—(See <i>the names of the several officers, etc.</i>)	
FELONY—(See <i>Crimes and Offenses.</i>)	
FEMALE—	
unlawful sexual intercourse with.....	43, 65
FENCE—	
power to fence up improved roads.....	175
FIREMEN—(See <i>Eminent Domain.</i>)	
Columbus authorized to finish and equip engine houses	11
pension fund in certain cities.....	102
salaries of officers and members of Cleveland fire department.....	107
FISH—	
unlawful catching and killing of.....	222-3
FISH AND GAME COMMISSION—	
appropriations	24, 201
catching and killing of game.....	168-9
“ “ “ fish.....	222-3
FIXTURE—(See <i>Lien.</i>)	
FORAKER, GOVERNOR—	
appropriation for portrait of.....	201

FOREIGN INSURANCE COMPANY—	PAGE
tax on applied to firemen's pension fund, when.....	103-4
FOREST—	
issue of gas and oil bonds.....	114
FORFEITURE—	
of life tenant's estate by waste	134
" tenant in dower's estate by waste.....	135
FRANKLIN COUNTY—(See <i>Columbus</i> .)	
selection of jurors.....	93-4
FRAUD—	
in payments to principal contractor, effect of.....	51
effect on rights as to dower.....	135
FUGITIVE FROM JUSTICE—	
surrender of to other state.....	228-9
GAME—(See <i>Fish and Game Commission</i> .)	
killing and catching of.....	168-9
GARFIELD, EX-PRESIDENT JAMES A.—	
appropriation for portrait of.....	201
GAS—(See <i>Eminent Domain</i> .)	
wells, lien on.....	6, 46-51
regulation of the price of in municipalities.....	39
limitation on price to private consumers.....	39
rent of meters	39
contract to supply municipality with.....	39
Forest authorized to issue bonds.....	114
GEESE—	
catching and killing of wild.....	168-9
GENERAL ASSEMBLY—	
appropriations.....	15, 20, 179, 181-2, 248, 219, 200
duties of certain officers at organization of.....	112
appointment of free pupils, normal department, Wilberforce university	129
GEOLOGY OF OHIO—	
distribution of volume 6	454-5
GIRLS' INDUSTRIAL HOME—	
appropriations.....	23, 179, 198
girls charged with offense, etc., entitled to hearing before commitment	77
salaries.....	109
GOVERNOR—	
removal of members of Cincinnati board of public affairs.....	14
appropriations.....	20, 178, 192
to execute certain deeds.....	37, 42
appointment and removal of members of Dayton board of police com-	
missioners	52
correction of Virginia military land records	88
salary of.....	108
private secretary.....	108
executive clerk.....	108
appointment of members of board of elections for certain cities.....	120
appointment of trustees for normal department Wilberforce university	127
to attest certain state bonds.....	168
appropriation for portrait of.....	201
to approve appointment of assistant dairy and food commissioners.....	206
appointment of Harrison monument commission.....	221
surrender of fugitive from justice of other state.....	228-9
appointment of trustees of Ohio soldiers' and sailors' home.....	234-5
GUARDIANS—	
settlement of accounts by executor, administrator or guardian of.....	204-5
HALL—(See <i>Cincinnati</i> .)	

HAMILTON COUNTY—	PAGE
treasurer required to pay portion of liquor tax over to Cincinnati.....	9
selection of jurors	93-4
commissioners shall provide certain offices, etc.....	109
employ certain employees.....	109
fees of sheriff.....	118
payment of additional salaries to circuit and common pleas judges.....	213
erection of Harrison monument.....	221
bridge and road fund.....	225-6
appropriation to pay court costs of senatorial contest.....	228
HARRISON, GENERAL WILLIAM HENRY—	
erection of monument in commemoration of.....	221
HEIR—(See <i>Descent and Distribution</i> .)	
HERD BOOK—	
obtaining unlawful registry or transfer in, penalty.....	213
HIGHWAYS—(See <i>Public Ways</i> .)	
HOLE, JOHN—	
appropriation to pay claims of estate of.....	37
granting certain lands to heirs.....	37
HOMES FOR WOMEN—	
articles of incorporation of.....	31-2
HOMESTEAD—	
laws do not apply as against lien of mechanic.....	47
HORSE THIEVES—	
corporations for apprehension and conviction of.....	169-170
HOSPITAL—(See <i>Eminent Domain</i> .)	
HOTEL—	
act restraining use and sale of artificial dairy products.....	182
HOUSE OF REFUGE AND CORRECTION—(See <i>Eminent Domain</i> .)	
HOUSE OF REPRESENTATIVES—(See <i>General Assembly</i> .)	
HUSBAND AND WIFE—(See <i>Married Women</i> .)	
mechanic and material man's lien on property of wife.....	47-8
rights and liabilities of, defined.....	132-136
power to contract.....	132
separation.....	132-3
property rights.....	133
support of wife when husband neglects to do so.....	133
execution of conveyances.....	133
wife's abandonment of husband, effect of.....	133
descent and distribution of personal estate.....	134
waste	134-6
dower	135-6
curtesy abolished.....	136
ILL-FAME—	
keeping houses of at certain places, penalty.....	70
ILLCIT INTERCOURSE—	
black laws repealed.....	34
inducing or permitting it on his premises.....	43
IMITATION DAIRY PRODUCTS—	
restrictions on sale and use of.....	182-3
IMPROVEMENTS—	
verdict of jury on claim of occupying claimant for.....	45
INDENTURES OF APPRENTICESHIP—	
execution of.....	45
INDIGENT SOLDIERS AND SAILORS—	
tax for relief of.....	38, 100
INDUSTRIAL TRAINING SCHOOL—	
articles of incorporation.....	31-2
department at Wilberforce University.....	127

	PAGE
MADISON COUNTY—	
fair grounds.....	79
MANUAL TRAINING SCHOOL—	
articles of incorporation.....	31-2
Cleveland.....	92
MANUFACTURERS—	
manufacture and sale of intoxicating liquors.....	224
illegal employment of minors.....	249
MARKET-HOUSE—(See <i>Eminent Domain</i> .)	
erection of in certain cities.....	30
cleaning of in Cleveland.....	67
MARRIAGE—	
black laws repealed.....	34
MARRIED WOMEN—(See <i>Husband and Wife</i> .)	
mechanic and material man's lien.....	47-8
rights and liabilities of defined.....	132-136
power to contract.....	132
property rights.....	133-6
power to convey.....	133
execution and acknowledgment of deeds, etc.....	133
rights in estate of husband.....	134-6
dower.....	135-6
MARSHAL—	
office of may be abolished in certain cities.....	27, 28, 218
MATERIALS—	
furnished on buildings, etc., lien for.....	6, 46-51
MAUMEE BAY—	
fishing in.....	222
MAYOR—(See <i>Municipal Corporations</i> .)	
MECHANICS' INSTITUTE—	
articles of incorporation.....	31-2
MECHANIC'S LIEN—(See <i>Lien</i> .)	
MEMORIAL STRUCTURE—(See <i>Soldiers' Memorial Association</i> .)	
METEOROLOGICAL BUREAU—	
appropriations	20, 193
MIAMI UNIVERSITY—	
appropriation.....	193
MILITIA—(See <i>Ohio National Guard</i> .)	
MINE—(See <i>Inspector of Mines</i> .)	
MINOR—	
employment of under eighteen in manufactories.....	249
MISDEMEANOR—(See <i>Crimes and Offenses</i> .)	
MONDAY—	
duck shooting on.....	169
MONTGOMERY COUNTY—	
commissioners authorized to protect the public against dangerous waters.....	26
to straighten and improve ditches.....	26
bridge and road fund.....	225
MONUMENTAL BUILDING—(See <i>Soldiers' Memorial Association</i> .)	
MORGAN COUNTY—	
agricultural society: board, how constituted and elected.....	4
MORTGAGES—	
execution and acknowledgment of.....	133
by married women.....	133
MUNICIPAL CORPORATIONS—(See <i>the several cities and villages, etc.</i>)	
boundaries of wards.....	6
laws governing electric light companies.....	7
erection of armories and soldiers' memorial buildings in cities second class, third grade.....	8, 71

MUNICIPAL CORPORATIONS—Continued.

	PAGE
collection of rent for expenses of water-works..	10
tenants.....	10
officers of cities of second class.....	26, 218
police courts.....	27, 218
office of marshal may be abolished in certain cities.....	27, 218
erection of a market-house and city offices in certain cities.....	30
board of revision: its powers and duties	32
power of boards of trade, etc., to purchase sites and erect buildings....	33
appointment of law librarians.....	34
report by councilmen of indigent soldiers, etc.....	38, 100
regulation of the price of natural and artificial gas.....	39
limitation on price to private consumers.....	39
rent of gas meters.....	39
contract to supply municipality with gas.....	39
terms of construction and operation of street railways.....	40
failure of councilmen to return proper lists of jurors.....	41
mechanic and material man's lien.....	46-51
erection of normal schools in villages.....	63
appropriation of private property.....	66-67
payment for turnpikes heretofore appropriated.....	89
firemen's pension fund.....	102
registration and election law for certain cities.....	119
council	125-6
aldermen	125-6
workhouses.....	139-141
school districts and boards of education.....	184-6
bridge and road fund.....	225-6
MUSEUM—	
articles of incorporation	32
MUSKINGUM COUNTY—	
joint work-house	136-141
MUSKINGUM RIVER IMPROVEMENT—	
appropriation to complete transfer to United States.....	202
MUTUAL PROTECTION ASSOCIATIONS—	
insurance against sickness, accidental injury, etc.....	130
against horse thieves and loss.....	169-170
NATURAL GAS—(See Gas).	
NEGRO—	
black laws repealed.....	34
NON-RESIDENTS—	
appointment of trustees to manage funds of.....	232-3
NORMAL SCHOOLS—	
building in villages (Wauseon).....	63
department at Wilberforce University.....	127
NORTHWESTERN OHIO HOSPITAL FOR THE INSANE—	
appropriations.....	23, 197
salaries.....	109
NUISANCE—	
keeping house of ill-fame, selling intoxicating liquor at certain places...	70
OCCUPYING CLAIMANT—	
verdict of jury on claim for improvements.....	45
OHIO BOARD OF PHARMACY—	
duty of in certain cases.....	221
OHIO DAIRY AND FOOD COMMISSIONER—	
appropriations.....	21, 180, 193
act restricting sale, etc., of artificial dairy products.....	182
powers and duties of himself and assistants.....	205-6
appointment of assistants.....	205
appointment of expert chemists.....	20
disposition of fines when collected.....	

OHIO HUMANE SOCIETY—	PAGE
powers, duties, objects, etc., of.....	207-8
OHIO INSTITUTION FOR THE BLIND—(See <i>Institution etc.</i>)	
OHIO INSTITUTION FOR THE DEAF AND DUMB—(See <i>Institution, etc.</i>)	
OHIO INSTITUTION FOR FEEBLE-MINDED YOUTH—(See <i>Institution, etc.</i>)	
OHIO NATIONAL GUARD—	
appropriation	191
levy and collection of fines.....	217-218
arrests	217
detention of person arrested.....	217
OHIO PENITENTIARY—	
appropriations.....	21, 180, 194
conveying things into with intent to aid escape.....	91
conveying letters, etc., into or from, contrary, etc.....	92
who may attend execution of death penalty.....	211
OHIO RIVER COMMISSION—	
appropriation.....	201
OHIO SOLDIERS' AND SAILORS' HOME—	
appropriation for.....	68
appointment of trustees.....	234
supervisor of construction.....	235
OHIO SOLDIERS' AND SAILORS' ORPHANS' HOME—	
appropriations.....	24, 180, 200
for board of lady visitors.....	24
what children received and how long retained.....	40
nuisances near.....	70
salaries.....	109
support of children outside of.....	174
OHIO STATE BOARD OF AGRICULTURE—(See <i>State Board of.</i>)	
OHIO STATE HORTICULTURAL SOCIETY—	
appropriation.....	24
OHIO STATE SOCIETY FOR PREVENTION OF CRUELTY—	
to animals; name changed to Ohio Humane Society; powers, etc.....	207-8
OHIO STATE UNIVERSITY—	
appropriations.....	21, 193
OHIO UNIVERSITY—	
appropriation.....	193
OIL WELLS—(See <i>Lien</i>).	
OLEOMARGARINE—	
act restricting sale and use of.....	182-3
ONE MILE ASSESSMENT PIKE—(See <i>Public Ways</i>).	
PARKS—(See <i>Eminent Domain</i>).	
donation of certain lands by Columbus school board.....	108
PARTITION FENCES—	
fees of township trustees in relation to.....	35
PARTRIDGE—	
catching and killing of.....	169
PAUPER—	
burial of deceased	29
PENALTY—(See <i>Crimes and Offenses</i>).	
PENITENTIARY—(See <i>Ohio Penitentiary; Intermediate Penitentiary</i>).	
PENSION FUND—	
firemen's	102
PEREMPTORY CHALLENGES—	
of defendant in criminal case.....	86
PHARMACISTS—	
who may not compound prescriptions.....	220
qualified assistant pharmacists.....	220
penalties for violations of certain sections.....	220
duty of Ohio board of pharmacy.....	221

PHEASANTS—	PAGE
catching and killing of.....	168-9
PIKE—(See <i>Public Ways</i> .)	
PLUMBING—	
of buildings in Cincinnati.....	143-166
POISONS—	
who may and may not sell, etc.....	220
POLICE—(See <i>Cincinnati; Dayton; Cleveland; Columbus</i> .)	
POLICE COURT—(See <i>Municipal Corporations</i> .)	
POLL TAX—	
labor on roads.....	85
POWER OF ATTORNEY—	
execution and acknowledgement etc. of.....	133
form and effect of.....	133
recording of.....	133-4
revocation of.....	133-4
of married woman.....	133-4
PRESCRIPTIONS—	
who may and may not compound.....	220
PRIMARY ELECTIONS—	
oath of supervisor.....	188
oath of judges and clerks.....	189
in Cincinnati.....	189
PRINTING—(See <i>Supervisor of Public Printing</i> .)	
style of printing the annual laws.....	12
PRISON—(See <i>Eminent Domain; Ohio Penitentiary</i> .)	
PROBATE COURT—	
black laws abolished.....	34
power to grant injunctions.....	36
commitment of girls to industrial home.....	77-8
appointment of inspectors of corporate elections.....	115
alteration or dissolution of joint school sub-districts.....	117
settlement of guardian's account by executor, guardian, etc.....	204-5
concurrent criminal jurisdiction of.....	227
appointment of trustees to manage funds of non-residents etc.....	232-3
PROMISSORY NOTES—	
mechanic and material man's lien.....	46-51
PROSECUTING ATTORNEY—	
of police court.....	28
bill of exceptions in criminal trial.....	45
PROSECUTION OF WAR CLAIMS—(See <i>War Claims</i> .)	
PROSTITUTION—	
a crime, when.....	43
PROXIES—	
unlawful to give at political conventions.....	189
PUBLIC BUILDINGS—(See <i>Eminent Domain; Cincinnati</i> .)	
PUBLIC DEBT—	
appropriation to pay.....	74
payment of certificates due July 1.....	167-8
PUBLIC HALL—(See <i>Cincinnati</i> .)	
PUBLIC SCHOOLS—(See <i>Schools</i> .)	
PUBLIC WAYS—(See <i>Eminent Domain; Cleveland; Cincinnati; Ashtabula; Columbus</i> .)	
one mile assessment pikes; issue of new bonds.....	17
alterations in county roads become parts of roads.....	25
parts vacated.....	25
laborer and material man's lien.....	47-51
repair of improved roads in townships.....	85
payment for turnpikes heretofore appropriated.....	89
power to fence up improved roads.....	175
repair of damaged highways.....	187-8

PUBLIC WAYS—Continued.	PAGE
taxation for county, township and village road purposes.....	224-7
levy of additional township road tax.....	226
PUMPING ENGINES—	
Cincinnati.....	167
QUAIL—	
catching and killing of.....	168-9
QUARANTINE—	
of diseased animals	90
RABBITS—	
catching and killing of.....	168-9
RAILWAYS—(See <i>Commissioner of Railroads; Street Railways.</i>)	
authorizing curing of defects in certain consolidation agreements.....	3, 29
unlawful meddling with property.....	81
throwing or shooting at trains.....	81
sale of Cincinnati Southern.....	82-83
corporate elections; inspectors.....	115
issue of stock or securities by companies organized or re-organized under	
agreements; terms of such agreements to appear on stock etc.....	142
rights of holders.....	142
RAPE—	
crime defined.....	65
RECOGNIZANCE—	
of person indicted for misdemeanor.....	73
RECORDER—(See <i>County Recorder.</i>)	
REGISTRATION—	
of voters in certain cities.....	119
REGISTRY—	
obtaining unlawful in herd book.....	213
RELIGIOUS SOCIETIES—	
membership in incorporated.....	85
REMAINDER—	
forfeiture of life estate to person owning.....	134-5
REORGANIZATION AGREEMENTS—	
of railway companies.....	142
REPEAL—	
of the "black laws".....	34
of section 1 of an act relating to second judicial district.....	229
REPORTER OF SUPREME COURT—	
appropriations	22, 195
REPORTS—	
special required of certain insurance companies.....	5
RESTAURANT—	
act restraining sale and use of artificial dairy products.....	182-3
REVERSION—	
forfeiture of life estate to person owning.....	134-5
REVISED STATUTES—	
section 23, interpretation of words.....	136, 145, 224
sections 25-28, duty of certain officers at organization of general assembly	112
section 63, printing of railroad maps.....	452
section 68, distribution of volumes of soldiers' roster.....	14
section 97, (am., 82 v. 16), amended	228
section 164, correct record of surveys, etc., of Virginia military lands....	88
section 238, issue of certificates by commissioners of the sinking fund.....	167-8
section 312, printing for Ohio State Board of Agriculture. . .	438, 447
section 325, amended	12
section 437, to govern certain contract.....	444
section 445, (am., 82 v. 16), amended and supplemented.....	240

REVISED STATUTES—Continued.

PAGE

section 457, times of holding Adams and Clermont courts of common pleas changed	42
section 550, (am., 82 v. 16,) amended	129
section 575, amended	44
section 614, amended	44
section 615, amended	44
sections 634-635, trustees of Ohio soldiers' and sailors' home	234
section 676, amended	40
section 676, support outside of children entitled to admission to O. S. & S. O. H.	174
section 698, amended	203
section 699, amended	203
section 769, amended	77
sections 794-5, 797-8, 800-3, applied to certain proceedings	417
sections 804-810, applied to certain proceedings	415
sections 871-2, manner of issuing certain bonds	80, 287, 418, 428, 430
section 889, supplemented	46
section 891, county commissioners authorized to receive bequests, etc.	211
section 892, soldiers' memorial hall	8, 71
section 893, tax for relief of indigent soldiers	38, 100
sections 918-919, apprehension and conviction of criminals	169-170
section 1002, (am., 78 v. 22,) amended	109
sections 1202-1239, (chapter 8, title 8, part 1), referred to	209
section 1208, amended	208
section 1212, amended	209
section 1213, amended	209
section 1214, amended	209
section 1214, trustees of moneys belonging to non-resident or unknown persons	232
section 1215, amended	209
section 1216, amended	209
section 1218, amended	210
section 1219, amended	210
section 1220, repealed	210
section 1230, supplemented	118
section 1238, amended	210
section 1239, amended	210
section 1284, (am., 79 v. 129,) amended	108
section 1289, amended	213
section 1500, supplemented	29
section 1530, amended	35
sections 1536-2729, (title 12, part 1), referred to	28
section 1631, (am., 77 v. 10,) amended	6
section 1655, (am., 82 v. 111,) amended	125
section 1656, (am., 82 v. 111,) amended	125
section 1658, (am., 82 v. 111,) amended	126
section 1661, (am., 82 v. 111,) amended	126
section 1672, (am., 82 v. 111,) amended	126
section 1690, Cincinnati public contracts, how made and awarded	233
section 1692, (235) Wauseon authorized to erect normal school buildings	63
section 1692, (237) regulating erection, etc., of buildings, etc., in Cincinnati	143
section 1707, (am., 83 v. 43,) amended and supplemented	26, 28, 218, 219
section 1708, referred to	26, 218
section 1720, (am., 83 v. 169,) amended	32
section 1785, (am., 82 v. 54,) amended	27
section 1804, (am., 83 v. 68,) amended	27
section 1808, (am., 83 v. 68,) amended	27
section 1812, amended	27
section 1813, amended	28
section 1881, applied to removals from Cincinnati detective force	241
section 1886, (am., 83 v. 47, 52,) amended	241

REVISED STATUTES—Continued.

	PAGE
section 1895, (am., 83 v. 47, 237), amended.....	242
section 1939, (am., 80 v. 49), amended.....	110
section 1945, repealed as to Dayton.....	63
section 1953, made applicable to Dayton.....	63
section 1954, made applicable to Dayton.....	63
section 1955, made applicable to Dayton.....	63
section 1956, made applicable to Dayton.....	63
section 1957, made applicable to Dayton.....	63
section 1958, made applicable to Dayton.....	63
section 1962, made applicable to Dayton.....	63
section 1963, made applicable to Dayton.....	63
section 1964, made applicable to Dayton.....	63
section 1965, made applicable to Dayton.....	63
section 1971, made applicable to Dayton.....	63
section 1972, made applicable to Dayton.....	63
section 1980, made applicable to Dayton.....	63
section 1981, made applicable to Dayton.....	63
sections 1998-2022, (sub-division 4, division 5, chapter 5, title 12, part 1), referred to.....	218, 27
sections 1998-2022, Dayton non-partisan police.....	52-63
section 1998, repealed as to Dayton.....	63
section 1999, repealed as to Dayton.....	63
section 2000, repealed as to Dayton.....	63
section 2001, repealed as to Dayton.....	63
section 2002, repealed as to Dayton.....	63
section 2003, repealed as to Dayton.....	63
section 2004, repealed as to Dayton.....	63
section 2005, repealed as to Dayton.....	63
section 2006, repealed as to Dayton.....	63
section 2007, repealed as to Dayton.....	63
section 2008, repealed as to Dayton.....	63
section 2009, repealed as to Dayton.....	63
section 2010, repealed as to Dayton.....	63
section 2011, repealed as to Dayton.....	63
section 2012, repealed as to Dayton.....	63
section 2013, repealed as to Dayton.....	63
section 2014, repealed as to Dayton.....	63
section 2015, repealed as to Dayton.....	63
section 2016, repealed as to Dayton.....	63
section 2017, repealed as to Dayton.....	63
section 2018, repealed as to Dayton.....	63
section 2019, repealed as to Dayton.....	63
section 2020, repealed as to Dayton.....	63
section 2021, repealed as to Dayton.....	63
section 2022, repealed as to Dayton.....	63
section 2098, Cincinnati work-house improvements.....	113
section 2107, supplemented.....	136-142
sections 2113-2148 (chapter 1, division 6, title 12, part 1), referred to.....	172
sections 2183-2184, act relative to dairy and food commissioner.....	205
section 2141, (am., 82 v. 54), amended.....	172
section 2197, (am., 81 v. 44), amended.....	67
section 2198, (am., 81 v. 44), amended.....	67
section 2199, repealed.....	68
section 2200, repealed.....	68
section 2201, repealed.....	68
section 2202, repealed.....	68
section 2203, repealed.....	68
section 2204, amended.....	68
section 2228, (am., 83 v. 173), amended.....	14
section 2229, supplemented.....	167
section 2232, amended.....	66

REVISED STATUTES—Continued.

PAGE

sections 2232-2231, (chapter 3, division 7, title 12, part 1), referred to.....	99, 247, 355, 356, 888, 392
section 2247, payment for turnpikes appropriated in municipalities.....	89
sections 2262-2406, (chapter 4, division 7, title 12, part 1), referred to.....	72
section 2267, Ashtabula street improvement.....	91
section 2269, (am., 81 v. 86), amended.....	72
section 2270, made inapplicable to Columbus street improvements.....	176
section 2293, supplemented.....	87-88
section 2293a, applied to street improvement in Cincinnati.....	87
section 2371, Cincinnati trunk sewers.....	75-77
section 2371, Columbus trunk sewers.....	111
section 2411, amended.....	10
section 2415, purchase of pumping engines for Columbus water-works..	11
section 2415, Dayton water-works improvement.....	78
section 2468, amended.....	107
section 2470, firemen's pension fund.....	102
section 2472, Columbus authorized to finish and equip engine-houses..	11
section 2473, erection, inspection, etc., of buildings in Cincinnati.....	143
section 2478, amended.....	39
section 2491, (am., 77 v. 109), amended.....	39
section 2501, amended.....	40
sections 2511-2515, conveyance of land for park.....	108
section 2527, amended.....	84
section 2552, amended.....	84
section 2559, supplemented.....	243, 95
section 2568, public halls, theaters, churches, etc., in Cincinnati.....	155-9
section 2573a, inspection of buildings in Cincinnati.....	143
section 2576, authority to erect market-houses in certain cities....	30
section 2596, inspector of buildings in Cincinnati..	143
section 2678, referred to.....	34
section 2679, (am., 82 v. 216), amended.....	34
section 2702, certain cities exempted from provisions of.....	31
section 2729c, repealed.....	83
section 2745, referred to.....	103
section 2805, extra compensation of Cincinnati board of equalization...	12
section 2824, amended.....	224
section 2824, erection of bridges in Dayton.....	73, 215
section 2829, amended.....	226
section 2918, (am., 83 v. 190), amended.....	188
section 2919b, amended.....	190
section 2926, supplementary sections applied to Columbus and Dayton..	124
section 2926, (am., 83 v. 209), amended.....	119
section 2926a, (am., 83 v. 209), amended.....	120
section 2926b, (am., 83 v. 209), amended.....	120
section 2926c, (am., 83 v. 211), amended.....	121
section 2926e, applied to primary elections, etc.....	190, 122
section 2926f, made applicable to primary elections.....	189
section 2926n, made applicable to primary elections.....	189
section 2926o, made applicable to primary elections.....	189
section 2926o, amended.....	122
section 2926p, made applicable to primary elections.....	189
section 2926t, amended.....	123
section 2933, act amending, 83 v. 11, repealed.....	124
section 2933a, repealed.....	124
section 2933b, repealed.....	124
section 2933c, repealed.....	124
section 2946, legal residence of inmates of Cincinnati infirmary.....	124
section 2963, amended.....	217
section 2978, as to election of common pleas judge in second judicial district.....	176, 229
section 3000, amended.....	45
section 3067, (am., 83 v. 96), amended.....	217

REVISED STATUTES—Continued.

	PAGE
section 3085, armory and memorial hall.....	8, 71
sections 3108-3117, (chapter 1, division 1, title 1, part 2), amended.....	132
section 3108, (am., 82 v. 131), amended.....	132
section 3109, (am., 81 v. 209), amended.....	132
section 3110, (am., 81 v. 209), amended.....	132
section 3111, (am., 81 v. 209), amended.....	132
section 3112, (am., 81 v. 209), amended.....	132
section 3113, amended.....	132
section 3114, amended.....	133
section 3115, amended.....	133
section 3116, amended.....	133
section 3117, amended.....	133
section 3120, amended.....	45
section 3184, amended.....	6
sections 3184-3231, (chapter 4, division 2, title 1, part 2) referred to.....	47-48
section 3185, amended.....	46, 50
section 3186, referred to.....	48
section 3187, amended.....	47, 50
section 3188, amended.....	47
section 3192, amended.....	47
section 3193, amended.....	48
section 3194, amended.....	48
section 3195, amended.....	48
section 3198, amended.....	49
section 3199, amended.....	49
section 3200, amended.....	49
section 3201, amended.....	50
section 3202, amended.....	50
section 3203, amended.....	50
section 3204, amended.....	51
section 3239, power of soldiers' memorial association to acquire and use real estate.....	173
section 3241, (am., 83 v. 168), amended.....	85
section 3245, supplemented.....	115
section 3381, authorizing curing of defects in railway consolidation agreements.....	3, 29
section 3397, supplemented.....	142
sections 3409-3414, sale of Cincinnati Southern Railway.....	82
sections 3454-3471, supplemented.....	7
section 3551, made applicable to certain municipal contracts.....	39
section 3561a, Forest authorized to bore for natural gas.....	114
sections 3587-3631, (chapter 10, title 2, part 2), referred to.....	130
section 3630, supplemented.....	130
section 3630, mutual indemnity for losses by horse thieves, etc.....	169-170
section 3655, amended.....	5
section 3692, officers of Morgan county agricultural society to report under.....	5
sections 3692-3713, (3714-3725?) referred to.....	232
section 3697, Morgan county agricultural board.....	4
section 3702, amended.....	230
section 3702, Madison county fair grounds.....	79
sections 3714-3725, (See 3692-3713.).....	232
section 3714, amended.....	207
section 3715, referred to.....	207, 208
section 3716, referred to.....	207
section 3726, made partially inoperative.....	65
section 3729, establishment of industrial department at Wilberforce university.....	127
section 3767, (am., 83 v. 41), amended.....	31
section 3832, amended.....	33
section 3885, amended.....	184
section 3886, (am., 81 v. 71), amended.....	184

REVISED STATUTES—Continued.

PAGE

section 3897, (am., 82 v. 7), amended.....	184
section 3898, (am., 81 v. 71), amended.....	185
section 3899, referred to.....	212
section 3900, applied to certain school elections.....	186
section 3902, applied to certain school elections.....	186
sections 3935-3941, made applicable to certain proceedings.....	117
section 3950, (am., 81 v. 211), amended.....	117
section 3959, referred to.....	343
section 3974, conveyance of land for park purposes.....	108
section 3980, amended.....	212
sections 3987-4006, applied to certain proceedings.....	422
sections 3996-9, Dayton public library.....	171
section 4007, manual training of Cleveland school children.....	92
section 4008, repealed.....	84
section 4008, (4088?) referred to.....	231
section 4009, normal school at Wauseon.....	63
section 4013, (am., 77 v. 196), amended.....	69
section 4086, amended.....	230
section 4087, defrayment of expenses of teachers' institute.....	211-212
section 4088, (see 4008).....	231
section 4106, (am., 80 v. 79), amended.....	133
section 4107, (am., 80 v. 79), amended.....	133
section 4108, (am., 80 v. 79), amended.....	133
section 4109, amended.....	133
section 4115, referred to.....	335
section 4116, referred to.....	289
section 4129, repealed.....	136
section 4130, repealed.....	136
section 4131, amended.....	133
section 4132, amended.....	134
section 4159, referred to.....	134
section 4163, amended.....	134
section 4176, amended.....	134
section 4177, amended.....	134
sections 4183-4194, (chapter 3, title 4, part 2), amended.....	134-135
section 4188, amended.....	135
section 4189, amended.....	135
section 4190, amended.....	135
section 4191, amended.....	135
section 4192, amended.....	135
section 4193, amended.....	135
section 4194, amended.....	135
section 4210, act for suppression of contagious diseases in animals.....	90
section 4215, (am., 83 v. 46), amended.....	231
section 4405, referred to.....	220
section 4407, referred to.....	220
section 4408, referred to.....	220
section 4410, (am. 81 v. 161), amended.....	220
section 4411, (am. 81 v. 161), amended.....	220, 221
section 4412, (am. 81 v. 161), amended.....	220
section 4443, (am. 83 v. 81), amended.....	16
sections 4447-4510, construction of inter-state county ditches.....	235-9
sections 4447-4510, to govern certain proceedings in Montgomery county.....	26
section 4450, Montgomery county exempted from certain provisions of..	26
section 4459, supplemented.....	51
section 4496, repair of ditches fenced off from improved roads in Logan county.....	175
sections 4637-4670, referred to.....	337, 382
section 4642, to govern certain proceedings.....	392
section 4669, (am., 80 v. 65), amended.....	25

REVISED STATUTES—Continued.

	PAGE
sections 4715-4757, referred to.....	337
sections 4758-4773, referred to.....	327, 367
section 4761, referred to.....	357, 405
sections 4774-4828, (chapter 7, title 7, part 2), referred to.....	17, 335
section 4812, supplemented.....	17
sections 4829-4864, made applicable to certain proceedings.....	173
section 4891, referred to.....	85-6
section 4892, referred to.....	86
section 4894, (am., 81 v. 127), amended.....	85
section 4919, (am., 82 v. 171), amended and referred to.....	187, 305, 392
section 4920, amended.....	187
section 4940, amended.....	172
section 4947, interpretation of words.....	126, 145, 224
section 5165, amended.....	41
section 5189a, amended.....	93
section 5189b, amended.....	93
section 5189c, amended.....	94
section 5293, amended.....	69
section 5301, amended.....	70
section 5563b, amended.....	13
section 5573, (am., 83 v. 60), amended.....	36
section 5767, trustees of funds belonging to non-resident or unknown persons.....	232
section 5791, amended.....	45
section 6019, supplemented.....	174
section 6191, trustees of funds belonging to non-resident or unknown persons.....	232
section 6194, repealed.....	136
section 6291, amended.....	204
sections 6414-6453, referred to.....	365
section 6454, (am., 83 v. 135), amended.....	227
section 6816, amended.....	65
section 6861, (am., 82 v. 119), amended.....	81
section 6862, (am., 81 v. 125), amended.....	81
section 6902, amended.....	91
section 6923, sale of adulterated vinegar.....	216
sections 6940-6950, amendment to "Dow law,".....	224
section 6946, (am., 82 v. 222), amended.....	70
section 6961, (am., 83 v. 187), amended.....	168
section 6968, (am., 83 v. 187, 189), amended.....	222, 169
section 6986aa, amended.....	249
section 6987, repealed.....	34
section 6988, repealed.....	34
section 7003, act to suppress contagious diseases in animals.....	90
section 7010, means of escape from Cincinnati theatres, churches, etc.....	155-9
section 7015, payment of wages.....	214
section 7023, (am., 82 v. 209), amended.....	43
section 7039-7066, made applicable to primary elections.....	189
section 7076, obtaining registry, etc., in herd book by false pretense.....	213
sections 7081-2, adulteration of vinegar.....	216
section 7090, act regulating sale and use of artificial dairy products.....	182
section 7172, amended.....	73
section 7272, amended.....	86
section 7304, amended.....	45
section 7305, amended.....	45
section 7341, (am., 83 v. 145), amended.....	211
ROAD COMMISSIONERS—	
issue of new one mile assessment pike bonds.....	17
ROADS—See <i>Public Ways</i> .)	
ROAD TAX—	
labor on roads.....	85

ROSTER—(See <i>Soldiers' Roster</i> ,)	PAGE
SALARIES—(See <i>the various officers, etc.</i>)	
of state officers, etc.....	108
SANDUSKY BAY—	
fishing in.....	222
SANITARY POLICE—(See <i>Columbus</i> .)	
SCHOOL DISTRICTS—(See <i>Schools</i> .)	
SCHOOLS—(See <i>State Commissioner, etc.; Eminent Domain; Teachers' Institute.</i>)	
appropriation for common.....	8
articles of incorporation.....	31-2
separate for colored children abolished.....	34
normal in villages (<i>Wauseon</i>).....	63
admission to public schools.....	69
non-resident pupils.....	69
normal training in <i>Cleveland schools</i>	92
dissolution or alteration of joint school sub-districts.....	117
classification of school districts.....	184
election of <i>Cincinnati</i> board of education.....	184
appointment and removal of teachers.....	185
new wards.....	185
board of education in city districts.....	185
election and power of members.....	185-6
power of commissioners to receive and manage bequests for educational purposes.....	211-212
organization and selection of officers of boards of education.....	212
payment of excess dog tax into school fund.....	232
SECRETARY OF STATE—	
appropriations.....	21, 194
salary of.....	108
sale of volume 6 geology of Ohio.....	454-5
SECRET SOCIETIES—	
membership in incorporated.....	85
SEDUCTION—	
a crime, when.....	43
SENATE—(See <i>General Assembly</i> .)	
SENATORIAL CONTEST—	
Hamilton county, payment of court costs.....	228
SEWERS—(See <i>Drainage; Columbus; Cincinnati</i> .)	
SEXUAL INTERCOURSE—(See <i>Rape</i> .)	
unlawful.....	43
SHEEP—	
allowance of damages for killing or injury by dogs.....	231-2
SHERIFFS—	
recognizance of person indicted for misdemeanor.....	73
to obey orders of live stock commissioners.....	90
fees of sheriff of Hamilton county.....	118
vacancy in office of.....	208
books to be kept by and delivered to successor.....	209
moneys, prisoners, writs, etc., to be delivered to successor.....	210
execution of certain writs delivered by predecessor.....	210
distribution of fees.....	210
fugitives from justice of other states.....	228-9
SOLDIERS' MEMORIAL ASSOCIATION—	
erection of buildings jointly with county commissioners.....	8, 71
may acquire, use and occupy real estate.....	173
SOLDIERS' RELIEF COMMISSION—	
appointment of.....	38, 100
SOLDIERS' ROSTER—	
distribution of published volumes of.....	14

	PAGE
SOLDIERS AND SAILORS—	
tax for relief of indigent, etc.....	38, 100
SOLDIERS' AND SAILORS' ORPHANS' HOME—(See <i>Ohio S. and S. O. H.</i>)	
SPECIAL ASSESSMENTS—	
rule governing.....	72
trunk sewers in Cincinnati.....	75-77
SPRINGFIELD—	
authorizing creation of a police court.....	28, 218
erection of a market-house and city offices, and purchase of a site....	30
board of education.....	184-6
SQUIRRELS—	
catching and killing of.....	169
STANDARD WEIGHT—	
of bushel of certain articles.....	16
STATE AUDITOR—(See <i>Auditor of State.</i>)	
STATE BOARD OF AGRICULTURE—	
appropriations.....	19, 192
STATE BOARD OF HEALTH—	
appropriations.....	24, 201
STATE COMMISSIONER OF COMMON SCHOOLS—(See <i>Schools.</i>)	
appropriations.....	19, 178, 192
salary.....	109
STATE FORESTRY BUREAU—	
appropriation.....	201
STATE HORTICULTURAL SOCIETY—(See <i>Ohio S. H. Society.</i>)	
STATE HOUSE AND GROUNDS—	
appropriations.....	18, 177, 191
STATE LAW LIBRARY—	
appropriations.....	20, 193
salary of librarian and assistant.....	108
STATE LIBRARY—(See <i>State Law Library.</i>)	
appropriations.....	21, 181, 194
salary of librarian and assistant.....	108
STATE TREASURER—(See <i>Treasurer of State.</i>)	
STATE UNIVERSITY—(See <i>Ohio State University.</i>)	
STOCKHOLDERS—	
appointment of inspectors of corporate elections.....	115
STREET COMMISSIONER—(See <i>Cleveland.</i>)	
STREETS—(See <i>Public Ways.</i>)	
STREET RAILWAY—	
terms and conditions of construction and operation.....	40
unlawful meddling with property.....	81
throwing or shooting at cars.....	81
SUB-CONTRACTOR—	
lien of.....	48-51
SUINE—	
act restricting sale and use of.....	182
SUNDAY—	
duck shooting on.....	169
SUPERINTENDENT OF INSURANCE—(See <i>Insurance.</i>)	
appropriations.....	22, 179, 195
salary of.....	108
SUPERIOR COURTS—	
appropriation for salary of judges....	20
salary of judges.....	108
SUPERVISOR OF PUBLIC PRINTING—	
appropriations.....	22, 181, 195
salary of.....	109

SUPREME COURT—(See <i>Clerk of, &c.; Reporter of, &c.</i>)	PAGE
appropriations for salary of judges.....	20
appropriations.....	22, 179, 195
granting of injunctions.....	36
salaries of judges.....	108
examination of fugitive from justice of other state.....	228-9
appointment of trustees to manage funds of non-residents, &c.....	232-3
SURVEYOR—	
appointment of, in Lucas county.....	46
SWAMP LANDS—	
amending act providing for draining and reclaiming.....	42
SWITCH—	
interference with.....	81
TAXATION—	
liquor taxes required to be paid to Cincinnati by county treasurer.....	9
levy of taxes for relief of indigent soldiers, &c.....	38, 100
refunder of certain taxes assessed on swamp lands.....	43
apportionment of county ditch assessments.....	51
for Cleveland street cleaning fund.....	68
for erection of soldiers' memorial buildings and armories, &c.....	71
rules governing special assessments on real estate.....	72
Dayton bridge tax.....	74, 215
trunk sewers in Cincinnati.....	75
Dayton water-works improvement tax.....	79
for Madison county fair grounds.....	80
labor on roads in commutation of taxes.....	85
to pay for turnpikes heretofore appropriated.....	89
Cincinnati city hall.....	98, 246
Dayton public library.....	171
repair of damaged highways.....	187-8
for county road and bridge, purposes.....	224-7
disposition of dog tax in paying for sheep, &c.....	231-2
TEACHERS' INSTITUTE—	
certain trust funds may be applied to expenses of.....	211-212
organization of county.....	230
election of officers, &c.....	230
time and notice of.....	231
TELEGRAPH COMPANIES—	
laws governing, applied to electric light companies.....	7
TENANT FOR LIFE—	
waste.....	134-135
TIMES OF HOLDING COURTS—	
common pleas, changed in Adams and Clermont counties.....	42
TOLEDO—	
police court.....	27
firemen's pension fund.....	102
registration and election law.....	119
board of aldermen and councilmen.....	125-6
police commissioners to act as board of health.....	172
board of education.....	184-6
TOLEDO ASYLUM FOR THE INSANE—	
appropriation.....	180, 197
name of.....	203
counties composing district of.....	204
transfer of patients to other asylums.....	204
TOLFORD, W. O.—(See <i>War Claims.</i>)	
appropriation.....	181
TOWNS—(See <i>Municipal Corporations.</i>)	
TOWNSHIP—	
burial of unclaimed dead at county expense.....	29
compensation of trustees.....	35

	PAGE
TOWNSHIP—Continued.	
report by trustees of indigent soldiers etc.....	38, 100
failure of trustees to return proper list of jurors.....	41
trial of contest of office of justice of the peace.....	44
mechanic and material man's lien.....	46-51
repair of improved roads in.....	85
labor in commutation of taxes.....	86
repair and building of bridges and culverts by trustees.....	173
fees of judges and clerks of election.....	217
bridge and road fund	226
TOWNSHIP OFFICERS—(See <i>Township</i> .)	
TRANSFER—	
obtaining unlawful in herd book	213
TREASURER—(See <i>County Treasurer</i> .)	
TREASURER OF STATE—	
appropriations	22, 194
salary of	108
TRIAL—(See <i>Bill of Exceptions</i> ; <i>Venue</i> .)	
of contest of election of office of justice of the peace.....	44
contests of county offices.....	45
claim of occupying claimant for improvements	45
TRUNK SEWERS—	
Cincinnati	75, 77
TRUSTEES—(See <i>Township</i> .)	
to manage funds of unknown and non-resident persons.....	232-3
TUESDAY—	
duck shooting on.....	169
TURKEYS—	
catching and killing of wild.....	168-9
TURNPIKES—(See <i>Public Ways</i> .)	
UNKNOWN PERSONS—	
appointment of trustees to manage funds of	232-3
VENUE—	
change of when judge is interested.....	129
in case of obtaining unlawful herd registry, etc.....	213
VESSEL—(See <i>Watercraft</i> .)	
VILLAGES—(See <i>Municipal Corporations</i> .)	
VINEGAR—	
act to prevent the adulteration of	216
VIRGINIA MILITARY LANDS—	
correction of records.....	88
WAGES—	
payment twice in each month to certain employees.....	214
WAR CLAIMS—	
appropriations.....	24, 181, 201
WARDS—(See <i>Municipal Corporations</i> .)	
boundaries of	6
WASTE—	
of life tenants.....	134-135
of tenants in dower.....	135
WATER-COURSES—(See <i>Drainage</i> ; <i>Eminent Domain</i> .)	
WATERCRAFT—	
lien upon for labor and material furnished.....	6, 46-51
throwing or shooting at.....	81
WATER WORKS—(See <i>Eminent Domain</i> ; <i>Dayton</i> ; <i>Cincinnati</i> .)	
collection of rent for expenses.....	10
tenants	10
assessment of cost of laying mains in Cincinnati.....	10
purchase of pumping engines in Columbus.....	11

WAUSEON—	PAGE
authorized to purchase site for normal school buildings and erect and furnish same.....	63-65
WEIGHT—	
standard of bushel of certain articles.....	16
WELLS— (See <i>Lien.</i>)	
WHARVES— (See <i>Eminent Domain.</i>)	
WIDOWS AND WIDOWERS— (See <i>Husband and Wife.</i>)	
WILBERFORCE UNIVERSITY—	
normal and industrial department established.....	127
WILL— (See <i>Executors.</i>)	
powers of executors, etc., during contest of.....	174-5
WOODCOCK—	
killing of	168-9
WORDS— (See <i>Interpretation of Words.</i>)	
WORK AND LABOR— (See <i>Labor.</i>)	
WORK-HOUSE— (See <i>Eminent Domain; Cincinnati.</i>)	
Muskingum county and Zanesville joint.....	136-141
power of counties and cities having no work-house to contract for care of prisoners outside of county.....	139-140
sentencing of prisoners.....	140
warrant for commitment and detention.....	140
payment of fines and costs.....	140-1
WORKING HOME FOR THE BLIND—	
appropriation.....	199
WORKSHOPS—	
employment of minors under eighteen in.....	249
ZANESVILLE—	
joint work-house	136-141
board of education	184 6

INDEX TO LOCAL ACTS.

ADAMS COUNTY—(See <i>General Index</i> .)	PAGE
act for relief of Thomas O'Neill and J. W. McClay.....	274
construction of free turnpike road.....	320, 353
purchase of Zanesville and Maysville turnpike.....	366
ALLEN COUNTY—	
levy of additional county tax authorized.....	373
ASHLAND COUNTY—	
Perrysville authorized to transfer funds.....	270
Jackson township divided into two election precincts	299
payment of certain fees, etc., to Susan Gates.....	303
erection of an armory at Polk.....	369
ASHTABULA COUNTY—(See <i>General Index</i> .)	
Ashtabula authorized to sink natural gas wells.....	420
ATHENS COUNTY—	
Nelsonville authorized to transfer funds.....	259
commissioners authorized to make additional tax levy.....	310
amending act creating additional election precincts in York township	310
Nelsonville authorized to levy additional school tax.....	325
Athens authorized to issue street improvement bonds.....	332
act relieving Thomas H. Furgason.....	360
AUGLAIZE COUNTY—	
providing for change in boundary line.....	276
BELMONT COUNTY—	
providing for sheriff's residence and completion, &c., of court house	
and jail.....	271
Barnesville authorized to sink natural gas wells.....	420
BROWN COUNTY—	
Higginsport authorized to issue school bonds.....	253
commissioners authorized to construct free turnpike roads, 281, 283, 375,	410
release of taxes on Columbus and Maysville railroad.....	282
commissioners authorized to buy and maintain a turnpike road.....	294
Union township enabled to satisfy claim for bounty.....	311
Ripley authorized to purchase park and cemetery grounds.....	313
BRYANT, CHARLES LEE—	
changing name of	276
BURGER, JOHN—	
reimbursing	386
BUTLER COUNTY—	
issue of water-works improvement bonds by Hamilton... ..	272
supplementing act authorizing building of court house.....	289
Oxford authorized to remove bodies from certain burying ground	323
Fairfield and Union townships authorized to improve certain road.....	398
relieving George Winn, treasurer, &c.....	399
CLARK COUNTY—(See <i>Springfield, General Index</i>)	
New Carlisle authorized to sink natural gas wells.....	420
CLERMONT COUNTY—(See <i>General Index</i> .)	
completion of turnpike road	296
construction " " "	296, 318, 322, 357, 404
" " " , supplementary act	297, 343
Miami township enabled to pay bounty claim of Thomas Paxton.....	313
reimbursing John Burger, treasurer, &c.....	386
commissioners authorized to bridge Stonelick Creek.....	423

	PAGE
CLINTON COUNTY—	
Wilmington authorized to transfer funds.....	269
COLUMBIANA COUNTY—	
New Lisbon authorized to transfer funds.....	252, 326
Salem authorized to convey real estate	267
East Palestine authorized to transfer funds.....	306
Madison township authorized to apportion and transfer funds.....	326
New Lisbon authorized to issue water-works improvement bonds.....	367
East Liverpool authorized to issue water-works redemption bonds.....	384
amending charter of Long's Run Presbyterian church, &c.....	416
Washington township authorized to sink natural gas wells.....	438
COSHOCTON COUNTY—	
creating sub-school district in Jackson township....	255
West Lafayette M. E. Church authorized to sell real estate	327
CRAWFORD COUNTY—	
changing name of Charles Lee Bryant.....	276
Whetstone township divided into two election precincts	288
Gallon authorized to issue bonds for electric lighting	368
CUYAHOGA COUNTY—(See <i>General Index</i> .)	
Brooklyn authorized to refund its bonded indebtedness.....	301
" " " " " school "	302
" " " issue fire department bonds.....	308
Bedford authorized to levy additional school tax.....	325
" township authorized to transfer funds.....	337
DARKE COUNTY—	
relief of indigent soldiers.....	266, 300
deed to Joseph Warnock.....	289, 335
DEFIANCE COUNTY—	
Defiance authorized to issue bridge bonds.....	273
" " " " bonds to pay indebtedness.....	315
Farmer and Hicksville townships authorized to vote on improvement of roads.....	330
relief of indigent soldiers, etc	370
DELAWARE COUNTY—	
commissioners authorized to levy tax	324
Concord township authorized to erect township hall.....	352
DIERKES, GEORGE HERMAN—	
changing name of.....	353
ERIE COUNTY—	
widening, grading and macadamizing of certain roads.....	303
Sandusky authorized to issue market-house bonds	363
FAIRFIELD COUNTY—	
Amanda township divided into two election precincts	264
amending act authorizing commissioners to accept certain roads.....	336
FRANKLIN COUNTY—(See <i>General Index</i> .)	
Columbus authorized to issue market-house bonds	284
Madison township and Groveport authorized to transfer funds.....	295
commissioners authorized to bridge Big Walnut Creek.....	328
Columbus may levy tax to care for and improve Franklin park.....	352
" authorized to bridge railroad tracks on Front street	397
" " " transfer funds.....	410
supplementing act for erection of court house	414
erection of a memorial armory building.....	417
Worthington school district authorized to appropriate certain funds, &c.....	421
FURGASON, THOMAS H—	
act relieving.....	360
FULTON COUNTY—(See <i>Wauveon, General Index</i> .)	
Delta authorized to levy school taxes.....	298
GALLIA COUNTY—	
Addison township divided into two election precincts.....	312

	PAGE
GLEASON, THOMAS D.—	
act for relief of.....	412
GOFF, SOLOMON—	
deed to.....	409
GREENE COUNTY—	
Ross township divided into two election precincts.....	384
GUERNSEY COUNTY—	
construction of free turnpikes authorized.....	254, 256, 430
Cambridge township authorized to transfer school funds.....	261
Christian Church of Quaker City authorized to sell lands.....	267
Quaker City association for etc. authorized to sell real estate.....	312
HAMILTON COUNTY—(See General Index.)	
act for relief of Katherine and Edna Grace Travis.....	260
building of an armory for Ohio National Guard.....	285
Miami township authorized to issue school bonds.....	323
commissioners authorized to bridge Hunt street.....	339
dividing an election precinct of Colerain township	340, 395
Clifton authorized to issue sewer bonds.....	346
commissioners authorized to complete the Cornell road.....	347
Columbia township authorized to complete town hall.....	348
changing name of Michael McDonnell	350
Wyoming authorized to issue sewer bonds.....	354
improvement of Woodburn avenue.....	356
bridges over Mill Creek and C. H. & D. R. R., amendatory act.....	365
purchase of Columbia and New Richmond turnpike.....	374
improvement of the Winton road.....	388
commissioners authorized to pay for part of Cincinnati and Harrison turnpike.....	389
commissioners authorized to improve certain roads.....	408
Linwood authorized to improve pavements.....	412
improvement of Harrison and Elizabethtown road	426
completion of Columbia avenue to Kemper lane.....	
HANCOCK COUNTY—	
act relieving sureties of Robert C. Wilson.....	268
Union township divided into two election precincts.....	299
Findlay authorized to issue water-works bonds.....	396
HARDIN COUNTY—	
Kenton authorized to construct or purchase water-works	290
HARRISON COUNTY—	
commissioners authorized to improve public roads.....	330
HENRY COUNTY—	
Bartlow township authorized to issue school bonds.....	317
HIGHLAND COUNTY—	
release of taxes on Columbus and Maysville railroad	282
Fairfield township divided into two election precincts.....	329
Newmarket township authorized to transfer school funds	400
HILEMAN, LA FAYETTE—	
changing name of	253
HOCKING COUNTY—	
Logan authorized to transfer funds.....	400
Falls township authorized to transfer funds.....	401
HOLMES COUNTY—	
commissioners authorized to offer a reward.....	283
Millersburg authorized to erect town hall, etc.....	351
HURON COUNTY—	
New London authorized to repair town hall.....	291
Plymouth authorized to bore for natural gas.....	411
JACKSON COUNTY—	
Lick township authorized to levy school tax.....	378

JEFFERSON COUNTY—	PAGE
improvement of roads	259, 335
Steubenville authorized to issue additional street improvement bonds.....	333
construction of free turnpike	335
Steubenville authorized to transfer funds.....	344
amending act authorizing Steubenville to issue sewer bonds.....	393
building of plant for filtering of water at Steubenville reservoirs.....	427
construction of water mains for sixth ward, Steubenville.....	428
JOHNSTON, CHARLES H.—	
act for relief of	270
LAWRENCE COUNTY—	
Ironton authorized to transfer funds.....	403
LICKING COUNTY—	
relief of indigent soldiers, etc.....	257
providing for fire proof construction in children's home building.. ..	273
commissioners authorized to transfer funds.....	306
Granville authorized to issue water works improvement bonds.....	348
LOGAN COUNTY—	
DeGraff authorized to transfer funds	263
providing for change in boundary line.....	276
Belle Centre authorized to provide fire protection	292
Perry township authorized to regulate its flowing wells.....	334
Bellefontaine Presbyterian church authorized to sell real estate.....	371
West Liberty authorized to levy additional cemetery tax	377
Quincy authorized to sink gas wells.....	393
Pleasant township authorized to purchase cemetery grounds.....	407
LORAIN COUNTY—	
Camden township authorized to complete a soldiers' monument.....	260
commissioners authorized to transfer funds.....	263
Elyria township divided into two election precincts.....	298
Ridgeville township authorized to issue school bonds	317
Elyria authorized to transfer funds	342
LUCAS COUNTY—(See General Index.)	
creating new election precinct in Oregon township.. ..	269
changing name of South Toledo.....	309
act for relief of Thomas D. Gleason.....	412
McCLAY, J. W.—	
act for relief of	274
McDONNELL, MICHAEL—	
changing name of	348
MADISON COUNTY—(See General Index.)	
MAHONING COUNTY—	
changing name of Lafayette Hileman.....	253
MARION COUNTY—	
payment for macadamizing Silver street, Marion.....	305
Paw Paw Freewill Baptist Church authorized to sell property	382
Larue authorized to sink gas wells	432
MEDINA COUNTY—	
Medina authorized to issue school bonds.....	265
Chatham township authorized to accept soldiers' monument.....	280
care and control of free turnpikes.....	295
Medina authorized to sink gas wells.....	425
MERCER COUNTY—(See General Index.)	
MIAMI COUNTY—	
relief of indigent soldiers etc.....	252
Piqua authorized to issue water-works improvement bonds.....	319
MONTGOMERY COUNTY—(See General Index.)	
relief of indigent soldiers etc.....	251
Jackson township divided into two election precincts.....	328
amending act authorizing bridging of Mad River.....	363
commissioners authorized to bridge Mad River	364

MORGAN COUNTY--(See <i>General Index</i>)	PAGE
MORROW COUNTY--	
construction of turnpikes in Cardington village and township.....	368
Canaan township divided into two election precincts	405
MUSKINGUM COUNTY--(See <i>General Index</i>)	
erection of a monumental and armory building	261
act for relief of Charles H. Johnston.....	270
sale of Muskingum county railway.....	372
act for the relief of the county agricultural society	419
NOBLE COUNTY--	
commissioners authorized to pay compensation and damages.....	305
Sharon township divided into two election precincts.....	406
O'NEILL, THOMAS--	
act for relief of.....	274
OTTAWA COUNTY--	
changing name of Patrick Henry Smith.....	310
Put-in-bay authorized to transfer funds.....	338
Put-in-bay authorized to erect town hall.....	350
PAULDING COUNTY--	
issue of bonds to redeem outstanding indebtedness.....	262
changing name of Samuel J. Wright	341
Paulding authorized to issue school bonds.....	341
issue of school bonds by Broughton and Hedges special district, Jack- son township	361
re-location of VanWert county line.....	415
PAXTON, THOMAS--	
satisfying bounty claim of.....	513
PERRY COUNTY--	
Junction city authorized to transfer funds.....	282
New Lexington authorized to construct certain buildings.....	292
Junction City authorized to issue school bonds.....	316
New Straitsville authorized to transfer funds.....	411
New Lexington " " " "	419
PICKAWAY COUNTY--	
Deer Creek township authorized to build township house	294
amending act authorizing building of jail, &c.....	321
Ashville authorized to transfer funds	407
PIKE COUNTY--	
commissioners authorized to accept proposition of A. Cutlip et al	278
" " " " certain road	327
" " " transfer funds	389, 374
" " " build a certain road	427
PORTAGE COUNTY--	
act relieving Amos Winklepleck	264
Garrettsville authorized to build city hall.....	307
Havenna authorized to issue water-works improvement bonds.....	314
Kent authorized to sink natural gas wells.....	425
FREBLE COUNTY--	
Camden authorized to transfer funds.....	262-3
" " " sink gas wells	420
PUTNAM COUNTY--	
Leipsic special school district authorized to levy tax	343
changing name of George Herman Dierkes.....	353
RICHLAND COUNTY--	
Madison township soldiers' and sailors' memorial library building....	344
authorizing establishment of a county road through state lands.....	364
Plymouth authorized to bore for natural gas	411
improvement of intermediate penitentiary road	415
ROBERTSON, HENRY--	
deed to	402

	PAGE
ROSS COUNTY—	
commissioners authorized to transfer funds	275
Franklin township authorized to borrow money.....	331
commissioners authorized to construct free turnpikes	379
repealing certain act	379, 382
commissioners authorized to bridge the Scioto river	397
Chillicothe authorized to transfer funds	399
" " " bore for natural gas	401
SANDUSKY COUNTY—	
Madison township authorized to transfer fund	268
changing name of John Joseph Zwilli.....	275
Clyde authorized to transfer funds	302
Fremont authorized to refund certain assessments	356
authorizing tax to pay for lands purchased for use of fair grounds	414
issue of bonds for agricultural purposes	424
SENECA COUNTY—	
Fostoria authorized to transfer funds	377
" " " issue refunding bonds	429
SHARICK, W. A.—	
act relieving	378
STARK COUNTY—	
Louisville authorized to transfer funds	258
commissioners authorized to purchase additional fair grounds	308
STRECKER, GEORGE—	
act for relief of	402
SUMMIT COUNTY—	
Green township divided into two election precincts	280
TRAVIS, KATHERINE AND EDNA GRACE—	
act for relief of	280
TRUMBULL COUNTY—	
Hubbard authorized to transfer funds	338
Niles authorized to transfer funds	371
TUSCARAWAS COUNTY—	
Mill township divided into four election precincts	359
New Philadelphia authorized to transfer funds	407
Mill township authorized to sink natural gas wells	433
UNION COUNTY—	
agricultural society authorized to mortgage its land	271
VAN WERT COUNTY—	
relief of indigent soldiers, &c	404
Van Wert authorized to transfer funds	413
re-location of Paulding county line	415
VINTON COUNTY—	
McArthur authorized to issue school bonds	277
deed to Henry Robertson	402
" " Solomon Goff	409
WARNOCK, JOSEPH—	
deed to	289, 335
WARREN COUNTY—	
Lebanon authorized to issue fire department bonds	315
" Lodge I. O. O. F. authorized to issue mortgage bonds	383
WASHINGTON COUNTY—	
Harmar authorized to issue bonds to redeem outstanding bonds	336
changing township lines in Waterford and Watertown townships	358
straightening and changing of roads, etc	391
act for relief of George Strecker, treasurer, etc	402

WAYNE COUNTY—	PAGE
East Union township divided into two election precincts.....	334
amending act authorizing Wayne township to issue school bonds.....	376
relief of W. A. Sharick.....	378
Doylestown authorized to purchase fire engines, etc..	423
WILLIAMS COUNTY—	
Montpelier authorized to issue school bonds.....	279
WILSON, ROBERT C.—	
act for relief of sureties of.....	268
WINKLEPLECK, AMOS—	
act relieving.....	264
WINN, GEORGE—	
act relieving.....	399
WOOD COUNTY—	
Bowling Green authorized to issue bonds to encourage manufacturing..	362
" " " " " sink gas wells, etc	386
North Baltimore " " " " "	390
WRIGHT, SAMUEL J.—	
changing name of.....	341
WYANDOT COUNTY—	
Sycamore township authorized to transfer school funds	258
Upper Sandusky authorized to sink gas wells.....	304
Nevada " " "	385
Wharton " " "	431
ZWILLI, JOHN JOSEPH—	
changing name of	275

INDEX TO JOINT RESOLUTIONS.

	PAGE
ADJOURNMENT—	
of General Assembly, <i>sine die</i>	446
ADJUTANT-GENERAL—	
binding of 600 copies of report in cloth.....	443
furniture etc. for roster department.....	445
tents for soldiers' reunion at Uhrichsville.....	445
" " " " " Hilliard.....	446
artillery ordnance for Steadman monument.....	448
repair of flue in office of secretary of state.....	451
AGRICULTURAL EXPERIMENT STATION—	
relative to government donation.....	449
ARREARS OF PENSIONS—	
granting by Congress recommended	439
AUDITOR OF STATE—	
directed to draw warrant in favor of Mary C. Harbaugh.....	440
BOARD OF PUBLIC WORKS—	
use of canal during Cincinnati exposition.....	450
BOYS' INDUSTRIAL SCHOOL—	
right of way through farm.....	453
CANAL—	
relative to use of during Cincinnati exposition	450
CANVASS—	
of votes for certain state officers.....	437-8
CENTENNIAL CELEBRATION—	
at Marietta	440
" Columbus	440
" Cincinnati.....	443
use of canal during Cincinnati.....	450
CINCINNATI—	
centennial celebration	443
use of canal	450
CLEVELAND—	
reward for assassins of police officers.....	442
COLUMBUS—	
centennial celebration at.....	440
COMMISSIONER OF RAILROADS AND TELEGRAPHS—	
printing of additional railway maps.....	452
CONGRESS—	
refunder of direct tax by recommended.....	436
survey of historic grounds by U. S. recommended.....	437
granting of arrears of pensions recommended.. ..	439
monument for grave of ex-President Harrison recommended....	448
donation to agricultural experiment station.....	449
CRIMINAL PROCEDURE—	
bringing prisoners from other states to testify.....	446-7
CROP REPORTS—	
printing of	447, 438
DAYTON ASYLUM FOR THE INSANE—	
admission of Mrs. Mary Seymour to.....	442
DIRECT TAX—	
refunder of that assessed by Congress &c.....	436

ELECTIONS—	PAGE
canvass of votes for certain state officers.....	437-8
EVIDENCE—	
bringing prisoners from other states to testify.....	446
GARFIELD, EX-PRESIDENT JAMES A.—	
portrait of.....	451
GENERAL ASSEMBLY—	
committee to wait on governor.....	436
joint convention to canvass certain votes.....	437
printing of manual of the 67th.....	441
relative to <i>sine die</i> adjournment.....	446
penitentiary reports.....	449
GOVERNOR—	
committee to wait upon and inform &c.....	435
to forward copies of resolutions.....	437, 439, 441
reward for assassins of Cleveland police officers.....	442
centennial celebrations.....	440, 443-4
bringing prisoners from other states to testify.....	446
purchase of portrait of President Garfield.....	451
HARBAUGH, MARY C.—	
pay of as assistant librarian for July, 1886.....	440
HARRISON, EX-PRESIDENT WILLIAM HENRY—	
monument over grave of.....	449
HAZEN, GENERAL WM. B.—	
relative to death of.....	438
HILLIARD—	
tents for soldiers' reunion at.....	446
HOEHN, CAPTAIN—	
reward for attempted assassins of.....	442
HULLIGAN, DETECTIVE—	
reward for assassins of.....	442
INSTITUTION FOR THE DEAF AND DUMB—	
printing for Ohio State board of agriculture.....	447
JAIL—	
bringing prisoners from other states to testify.....	446
JOINT CONVENTION—	
of two houses to canvass certain votes.....	437
LANCASTER AND HAMDEN RAILWAY COMPANY—	
right of way through boys' industrial school farm.....	453
LOGAN, SENATOR JOHN A.—	
relative to death of.....	435
MANUAL—	
of 67th General Assembly.....	441
MAPS—	
printing of additional railroad.....	452
MARIETTA—	
centennial celebration &c. at.....	440
NORTH-WEST TERRITORY—	
centennial celebration of founding of.....	440, 443, 450
OHIO AGRICULTURAL EXPERIMENT STATION—	
government donation to.....	449
OHIO PENITENTIARY—	
printing of additional reports.....	449
OHIO STATE BOARD OF AGRICULTURE—	
relative to printing for.....	447, 433
OHIO STATE REPORTS—	
contract for printing volumes 45 and 46.....	444

PENITENTIARY—	PAGE
bringing prisoners from other states to testify.....	446
printing of additional reports.....	449
PENSIONS—	
granting of arrears recommended.....	439
PRINTING—(See <i>Supervisor of Public Printing.</i>)	
PRISONER—	
bringing prisoner from other state to testify.....	446
PROSECUTING ATTORNEY—	
bringing prisoners from other states to testify.....	446-7
RAILROAD MAPS—	
printing of additional.....	452
RAILWAY—	
right of way through boys' industrial school farm.....	453
REPORTS—	
contract for printing 45 and 46 O. S.....	444
REPRESENTATIVES—(See <i>Congress.</i>)	
REWARD—	
for assassins of Cleveland police officers.....	442
ROSTER DEPARTMENT—	
furniture, &c., for room occupied by clerks.....	445
SECRETARY OF STATE—	
contract for printing 45 and 46 O. S. reports.....	444
printing of additional copies of penitentiary report.....	449
repair of flue in office of.....	451
SENATOR—(See <i>Congress.</i>)	
SEYMOUR, MRS. MARY—	
admission to Dayton asylum for insane.....	442
SOLDIERS' RE-UNION—	
at Uhrichsville, tents for.....	445
at Hilliard, tents for.....	446
SOLDIERS' ROSTER DEPARTMENT—	
furniture, &c., for room occupied by clerks.....	445
STATE BOARD OF HEALTH—	
providing a room for.....	439
STATE OFFICERS—	
canvass of votes for certain.....	437-8
STEADMAN MONUMENT—	
artillery ordnance for.....	448
SUPERINTENDENT OF STATE HOUSE—	
vacation of private office.....	439
SUPERVISOR OF PUBLIC PRINTING—	
printing for Ohio state board of agriculture.....	447, 438
" of manual of 67th general assembly.....	441
binding of adjutant-general's reports.....	443
printing of additional penitentiary reports.....	449
" " " railway maps.....	452
SUPREME COURT REPORTS—	
contract for printing volumes 45 and 46.....	444
SURVEY OF HISTORIC GROUNDS—	
by United States, recommended.....	437
TAX—	
refunder of direct tax assessed by Congress.....	436
TENTS—	
for soldiers' reunion at Uhrichsville.....	445
" " " " Hilliard.....	446

URICHSVILLE—	PAGE
tents for soldiers' reunion at	445
UNITED STATES—	
refunder of direct tax.....	438
WITNESS—	
bringing prisoner from other state to testify	446



